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2  
3 COUNTYWIDE JUVENILE  
4 JUSTICE CONSORTIUM (CJJC)  
5 OPEN MEETING  
6 -----

7 Benjamin Hooks Central Library  
8 Saturday, June 8, 2013  
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22 H & N COURT REPORTING  
23 Post Office Box 11613  
24 Memphis, Tennessee 38111

1       PRESENT:

2                       MR. CRAIG WILLIS, Moderator,  
3                                       Assistant County Attorney

4                       PASTOR EDDIE WILLIAMS

5                       REVEREND AUDREY GONZALEZ

6                       MS. QUINCY HUGHES

7                       DR. DOROTHY THOMAS

8                       MR. THURSTON SMITH

9                       LT. COL. MICKEY WILLIAMS

10                      DR. FREDA WILLIAMS

11                      MR. JHUKURUIN CORLEY

12                      MS. MICHELLE FOWLKES

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14  
15  
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18       REPORTED BY:   LESLEY L. SPENCE, CSR, LCR

1 (MEETING COMMENCED AT APPROXIMATELY  
2 1:02 P.M.)

3 MR. WILLIS: Good morning, everybody. How  
4 are you? Thank you for taking time out of your  
5 Saturday to be here. Thank you for coming here  
6 this afternoon.

7 We're not showing movies this afternoon,  
8 so if you think that's -- you know, the movie place  
9 is someplace else. We're here to talk about  
10 juvenile court. Hopefully, nobody will leave.  
11 This is very important to this community.

12 Thank you all for coming. My name is  
13 Craig Willis. I'm an assistant county attorney.  
14 I'd like for us to kind of get going. We have a  
15 very full agenda today. There is an agenda and  
16 some materials here as you come in. I hope that  
17 everyone will grab the materials.

18 There is a sign-in sheet. Please look to  
19 the sign-in sheet. There's notebooks here that  
20 have yellow covers on them. Those notebooks have a  
21 lot of reference materials in them that we will be  
22 referring to this afternoon. Please feel free to  
23 grab one and take it to your seat. However, please  
24 leave it in this room -- the reference materials;

1     okay? And also, do not mark in them.

2             Any documents that are referred to today  
3     probably will be in that notebook, and we also have  
4     some cards. We're going to have a question and  
5     answer period. If you want to write down any  
6     question while you're thinking about it, you can do  
7     that and -- so you'll be able to find that.

8             What I'd like for us to do right now is to  
9     get rolling. We have some more preliminary  
10    organizational things to take care of. We want to  
11    run through that very quickly and not waste your  
12    time, and then around 1:15 -- in about ten minutes,  
13    get into the meat of why we're here.

14            But in the meantime, don't feel like  
15    you're glued to your seat. If there are some  
16    documents over here that you need, feel free to  
17    look at this table, see what's here, get those  
18    materials and you can step out and get some water.  
19    This might be a good time to do it.

20            But we're going to try to move at a fast  
21    pace. We probably will be here until about 3:30.  
22    That's a long period of time. But the main portion  
23    of today is to be able to hear from you members of  
24    the community, and we want to reserve time for

1     that.

2                 So the first thing that we want to do  
3     today is we have an organization called the  
4     Countywide Juvenile Justice Consortium. That is --  
5     is an organization that was established pursuant to  
6     the memorandum of agreement, the MOA, that was  
7     entered into between juvenile court of Shelby  
8     County and the US Department of Justice.

9                 We have copies of the MOA that we're going  
10    to be referring to, the document right here, and  
11    also in this booklet. Because of the MOA, this  
12    group, this -- referred to as the CJJC or simply  
13    "the consortium" has been established, and we have  
14    a little bit of organizational business to take  
15    care of.

16                The first thing we're going to do is just  
17    call the roll, and I'd like to see if we have a  
18    quorum, which will be a majority of the members,  
19    today. By the way, the members of the consortium  
20    have been appointed in kind of like two sections.  
21    The county mayor has appointed some, and then other  
22    members are representatives of the juvenile justice  
23    board.

24                So we have -- let's see. Is Evelyn Bachus

1 here today? Jeremy Calhoun? I know Jeremy Calhoun  
2 is in Indiana, I believe, and unable to attend.  
3 Jhukuruin Corley? Is he here? Would you please  
4 raise your hand so people will --

5 MR. CORLEY: (Complied.)

6 MR. WILLIS: Reverend Audrey Gonzalez?

7 REVEREND GONZALEZ: (Raises hand.)

8 MR. WILLIS: Tony Sarwar?

9 (No response.)

10 MR. WILLIS: Thurston Smith?

11 MR. SMITH: Present.

12 MR. WILLIS: Dr. Dorothy Thomas?

13 DR. THOMAS: Here.

14 MR. WILLIS: Pastor Eddie Williams?

15 PASTOR WILLIAMS: Right here.

16 MR. WILLIS: And Dr. Freda Williams has  
17 been kind enough to join us. She has been  
18 nominated by Mayor Luttrell to be on the CJJC.  
19 However, she'll be coming before the county  
20 commissioners for confirmation this coming  
21 Wednesday, I believe, on June 12th. Is  
22 Dr. Williams here?

23 DR. WILLIAMS: (Raises hand.)

24 MR. WILLIS: Mr. Harold Collins?

1 (No response.)

2 MR. WILLIS: Ms. Michelle Fowlkes?

3 MS. FOWLKES: Present.

4 MR. WILLIS: Ms. Quincy Hughes?

5 MS. HUGHES: Present.

6 MR. WILLIS: And Mr. Ron Pope?

7 (No response.)

8 MR. WILLIS: And Lieutenant Colonel Mickey  
9 Williams?

10 LT. COL. WILLIAMS: Here.

11 MR. WILLIS: All right. I count one, two,  
12 three, four, five, six, seven, eight present and  
13 Dr. Freda Williams, a nominee. That's eight, and  
14 that would be a majority. I believe we have a  
15 quorum and can move forward.

16 The first order of business will be  
17 adoption of the bylaws for the CJJC. The members  
18 have received these previously and you have them  
19 before you. For members of the public that are  
20 here, we have copies of these bylaws that are on  
21 this table and also in these notebooks.

22 Is there a motion to approve the bylaws of  
23 the CJJC?

24 REVEREND GONZALEZ: I move that the bylaws

1 of the CJJC be adopted as presented.

2 PASTOR WILLIAMS: I second that motion.

3 MR. WILLIS: All right. Is there any  
4 discussion on that?

5 (No response.)

6 MR. WILLIS: Hearing none, let's move to  
7 the question. All those in favor of the adoption  
8 of the bylaws of the CJJC, would you signify by  
9 saying aye?

10 THE MEMBERS: Aye.

11 MR. WILLIS: Any objections?

12 (No response.)

13 MR. WILLIS: All right. No objections.  
14 So we have the official bylaws of the CJJC that  
15 have been adopted. You'll notice in the bylaws --  
16 I'm not sure of the article, but it does list the  
17 officers. And the officers provided in the bylaws  
18 are the chair, the vice chair, the secretary and  
19 the sergeant at arms.

20 I'd like to open up the floor for  
21 nomination of the chair of the CJJC. Any  
22 nominations?

23 LT. COL. WILLIAMS: I nominate Thurston  
24 Smith.



1 MR. WILLIS: Are there any further  
2 nominations for the office of chair?

3 DR. THOMAS: Move to close nominations.

4 MR. WILLIS: Is there a second that the  
5 nominations be closed?

6 MS. FOWLKES: I second it.

7 MR. WILLIS: Okay. Well, let's move to  
8 the question. All those in favor of Mr. Thurston  
9 Smith as chair of the CJJC please signify by aye?

10 THE MEMBERS: Aye.

11 MR. WILLIS: Are there any objections or  
12 any nays?

13 (No response.)

14 MR. WILLIS: Hearing none, Mr. Thurston  
15 Smith has been designated and elected chair of the  
16 CJJC.

17 The next position is vice chair. I'd like  
18 to open up the floor for nominations for vice  
19 chair.

20 MR. SMITH: I nominate Dr. Dorothy Thomas.

21 MR. WILLIS: Are there any other  
22 nominations for the position of vice chair?

23 LT. COL. WILLIAMS: I move that the  
24 nominations be closed.

1           MR. WILLIS: Any objections to closing  
2 nominations of vice chair?

3                       (No response.)

4           MR. WILLIS: Hearing none, let's move to  
5 the question then. All those in favor of  
6 Dr. Dorothy Thomas for vice chair of the CJJC,  
7 please signify by saying aye.

8           THE MEMBERS: Aye.

9           MR. WILLIS: Are there any objections?

10                       (No response.)

11           MR. WILLIS: All right. Hearing none,  
12 it's unanimously approved that Dr. Dorothy Thomas  
13 is designated vice chair of the CJJC.

14           The next position called for in the bylaws  
15 is secretary. I'd like to open up the floor for  
16 nominations for secretary of the CJJC.

17           MR. SMITH: I'd like to nominate Mickey  
18 Williams for secretary.

19           MR. WILLIS: Are there any further  
20 nominations for the position of secretary?

21                       (No response.)

22           MR. WILLIS: Anyone else like to nominate  
23 someone for secretary?

24           MR. SMITH: I move that we close

1 nominations.

2 MR. WILLIS: Any objections to closing  
3 nominations?

4 DR. THOMAS: None.

5 MR. WILLIS: All right. Well, let's move  
6 to the question. All those in favor of Lieutenant  
7 Colonel Mickey Williams as secretary of the CJJC,  
8 let's signify by saying aye.

9 THE MEMBERS: Aye.

10 MR. WILLIS: Any opposed?

11 (No response.)

12 MR. WILLIS: Okay. Well, then Lieutenant  
13 Colonel Mickey Williams has been duly elected  
14 secretary of the CJJC.

15 And the final position called for in the  
16 bylaws is the sergeant at arms. I'd like to open  
17 up the floor for the position of sergeant at arms.

18 MR. SMITH: Mr. Moderator, I nominate  
19 Quincy Hughes as sergeant at arms, please, sir.

20 MR. WILLIS: Are there any other  
21 nominations for the position of sergeant at arms?

22 DR. THOMAS: I move nominations be closed.

23 MR. WILLIS: Any objections to closing the  
24 position -- nominations for sergeant at arms?

1 (No response.)

2 MR. WILLIS: Having no objection to that,  
3 let's move to the question. All those in favor of  
4 Ms. Quincy Hughes for the position of sergeant at  
5 arms, please signify by saying aye.

6 THE MEMBERS: Aye.

7 MR. WILLIS: Any objections?

8 (No response.)

9 MR. WILLIS: All right. Then Ms. Quincy  
10 Hughes has been designated sergeant at arms. So we  
11 have Mr. Thurston Smith as chair, Dr. Dorothy  
12 Thomas as vice chair, Mickey Williams, Lieutenant  
13 Colonel of the Memphis Police Department, as  
14 secretary, sergeant at arms, Ms. Quincy Hughes, and  
15 congratulations to all of you.

16 At this point, I'd like to turn it over to  
17 Mr. Thurston Smith -- well, before we do that, I'd  
18 like to just recognize members of the court --  
19 juvenile court that are here. I saw Larry Scroggs,  
20 the CAO of juvenile court. He probably has stepped  
21 out for a moment -- oh, there he is. I can't  
22 recognize him without his tie. And we also have  
23 Tom Coupe'. And, Larry, why don't you introduce  
24 your other members of your staff; okay?

1           MR. SCROGGS: Of course Tom Coupe' is up  
2 front. I almost feel like Lisa Hill is part --  
3 she's not quite part of our staff. Lisa Hill is  
4 the DMC coordinator. Wain Rubenstein is here as  
5 part of our staff. Wain is the administrator of  
6 the youth services bureau. Barry Mitchell is next  
7 to him. He is the chief probation officer and  
8 heads up the children's bureau of the court. And  
9 we have Tracy (inaudible) here, who is the juvenile  
10 detention (inaudible) for Memphis and Shelby  
11 County.

12           And somebody else help me. Anybody else?  
13 That's it.

14           LT. COL. WILLIAMS: Barry Mitchell.

15           MR. SCROGGS: Oh, I forgot Barry. Speak  
16 up, Tracy.

17                           (Inaudible.)

18           MR. SCROGGS: Okay. In the very back  
19 row -- but not at least -- we have one more so if  
20 any others may come in later, we'll try to  
21 recognize them.

22           MR. WILLIS: Thank you, court staff, for  
23 being here. And thank you, members of the public,  
24 for being here. Again, there is a sign-in sheet.

1 If you haven't signed the sign-in sheet, please do  
2 that. If you include your e-mail address, that  
3 could be helpful so we can let you know when there  
4 are other meetings and things like that.

5 Mr. Chairman, I think we're about right on  
6 time to move on towards the purpose of the meeting,  
7 and I'd like to turn it over to you at this time.  
8 Thank you.

9 MR. SMITH: Thank you very much. Good  
10 afternoon, everybody.

11 THE MEMBERS: Good afternoon.

12 MR. SMITH: I want to first and foremost  
13 thank each and every one of you for coming out. I  
14 can assure you there's nothing else better for all  
15 of us to do than to devote our attention and time  
16 to our youth in the community.

17 My name is Thurston Smith. I'm very proud  
18 to be a part of this consortium. I think the work  
19 before us is both honorable and admirable, and I  
20 think we'll be able to work collectively with all  
21 of the stakeholders in the community and help to  
22 make our juvenile justice system much better.

23 Having said that, I would like to call up  
24 Mr. Tom Coupe' to assist in the overview of the

1 CJJC.

2 MR. COUPE': Thank you very much.

3 MR. SMITH: You're welcome.

4 MR. COUPE': It's always difficult talking  
5 after Mr. Smith because he is such a good speaker,  
6 and I'll be (inaudible). The -- to give some  
7 background on the CJJC, during the negotiation with  
8 the Department of Justice, one of the -- one of the  
9 things that the court and the DOJ wanted to do was  
10 find a way to connect to the public, to the  
11 community.

12 And during this process, actually County  
13 Attorney Craig Willis came up with a fantastic idea  
14 of merging a community group with an already  
15 existing stakeholder group that -- that takes --  
16 that is already meeting that involves many members  
17 of the community that are -- that are involved in  
18 child welfare and juvenile issues that -- juvenile  
19 justice -- I believe it's called the juvenile  
20 justice board. They meet on a regular basis, and  
21 they have very knowledgeable members of the  
22 juvenile court process and the juvenile law  
23 process.

24 And we brought them along and mixed them

1 with members of the public to create the CJJC, and  
2 that's where we came along with that. During the  
3 negotiations, we created this in the memorandum,  
4 and Mayor Luttrell -- Mayor Luttrell is in  
5 charge -- was in charge of appointing the members.  
6 And that's where we kind of came along.

7 Then the CJJC is a local organization  
8 established by the MOA between the Department of  
9 Justice and Shelby County government. The -- it  
10 was entered into on December 17th. That's an  
11 important date. That is the date that the actual  
12 memorandum of agreement that the juvenile court is  
13 bound to -- that date was the date in which the  
14 memorandum was signed, and all the time frames  
15 which the court must meet are based upon that  
16 December 17th, 2012 time frame.

17 You can always find that memorandum of  
18 agreement on the juvenile court web site, on the  
19 Shelby County Board of Commissioners web site.  
20 It's also available on the -- juvenile court has a  
21 Facebook page and I'll provide that information  
22 later on. It's available there also. Those are  
23 just a few of the places that you -- actually, the  
24 Department of Justice actually has a copy of that



1 memorandum listed on their web page also.

2           The authority of the -- of the CJJC -- it  
3 may not enter into any contract, as you know,  
4 engaged in any activity requiring expenditure of  
5 funds of juvenile court money, Shelby County money  
6 or any other agency, and it's not a financially  
7 driven agency. It's an agency working to better  
8 affect the court and the community and work through  
9 the process of getting us through this memorandum  
10 of agreement.

11           The CJJC did, during that time, create a  
12 mission and goal statement, which I think is a  
13 fantastic -- a fantastic idea. A lot of groups  
14 that have been in this short of a time period put  
15 together don't do something like that. And I  
16 really appreciate the fact that the CJJC did that.  
17 Their mission and their goal is to educate,  
18 publicize and inform the public of reforms  
19 implemented by juvenile court as required by the  
20 memorandum of agreement through outreach efforts,  
21 to make these (inaudible) available to the public,  
22 to provide (inaudible) by regularly participating  
23 in open meetings to get the community's viewpoints  
24 and questions concerning reform measures undertaken

1 by juvenile court and to communicate that  
2 information back to juvenile court.

3 That's the main purposes of the CJJC. You  
4 will meet these people and get an opportunity to  
5 know where they come from, what parts of town they  
6 are from, where they work in the community, and you  
7 can always contact them and talk to them about  
8 questions they have -- questions you have about the  
9 court process. And they, in turn, then can  
10 communicate those to us.

11 So if you know Mr. Smith or you can get  
12 Mr. Smith's contact information and you have a  
13 question why something is going on in your  
14 community you feel is not being addressed, you talk  
15 to Mr. Smith. Mr. Smith will then talk to me in  
16 juvenile court or talk to Larry Scroggs or talk to  
17 somebody involved. And we'll get back to him. We  
18 have to get back to him, and we want to get back to  
19 him.

20 And then he, in turn, will get back to  
21 you, so this is a fantastic way the court -- so the  
22 community actually has a way to get in contact with  
23 the court. And that's just -- that's not the only  
24 way, but that is one significant way to get people

1 in the community, people in your -- in your work  
2 area and to be able to get involved with the court.

3 And I think right now I'm going to turn it  
4 over to Craig Willis. I think you're going to do  
5 the overview right now of the -- okay. I was  
6 looking at the next note. I'm sorry.

7 MR. SMITH: Pursuant to the memorandum of  
8 agreement in the establishment of the countywide  
9 juvenile justice consortium, they thought it  
10 feasible and important that they, in the selection  
11 of the members of the juvenile justice consortium,  
12 that those members be appropriately reflective of  
13 members of the community in diversity and youth.

14 Part of that appointment process also  
15 included at least one parent who's had a child  
16 that's been involved in the juvenile court system,  
17 as well as at least one youth. Having said that,  
18 it is my distinct honor and pleasure to bring forth  
19 Mr. Jhukuruin Corley, who is going to tell a very  
20 personal yet riveting story about his experience in  
21 the juvenile justice system. Thank you.

22 MR. CORLEY: Good evening, everyone. My  
23 name is Jhukuruin Corley. I'm a 21-year-old  
24 activist from the Frazier community and also a

1 junior at the University of Memphis. A little bit  
2 about myself and my background and where I come  
3 from: I grew up in the 38127 area (sic) code my  
4 entire life. About six years ago, me and a few of  
5 my friends were convicted on an aggravated burglary  
6 charge in the Northaven community where I was once  
7 a gang member.

8 I once sold drugs, fought dogs -- you  
9 know, living a life where I -- I was held to take  
10 care of myself. From this experience, I lost my  
11 best friend. I gained a background, but I also  
12 found my Savior in Christ.

13 But through this, I was entered into the  
14 juvenile justice system, where my rights were also  
15 violated. The best way for me to compare was to a  
16 14-year-old young man whose case was just threw out  
17 where he set his house on fire and his mom was  
18 killed. That's the best way for me to compare it  
19 for you all to, you know, pick up on the language.

20 But through this, I was -- I could have  
21 been sent to 201 and charged as an adult, but I was  
22 entered into a program named JIFF, which is  
23 Juvenile Intervention and Faith-based Followup.  
24 And through this, working with these guys, you

1 know, I gained mentors. I gained life friends. I  
2 gained big brothers from them working with me. And  
3 important to me, I learned to give back to my  
4 community.

5 From them, I've -- they even nominated --  
6 they even nominated me for this consortium. You  
7 know, they told Mayor Mark Luttrell about me, and  
8 you know, he -- he said, "We've got to have you on  
9 this board." And from that, I've travelled some --  
10 everywhere. I've been to Washington, D.C.;  
11 Chicago, Illinois; Dallas-Fort Worth, Texas -- just  
12 a few places -- just because of guys who actually  
13 love God. And, you know, they felt compelled to  
14 give back to our communities. Well, that's also  
15 what I found out.

16 So if you have any questions, feel free to  
17 e-mail me, call me or however you want to get in  
18 touch with me. Thank you.

19 (Applause.)

20 MR. SMITH: Thank you very much,  
21 Jhukuruin. Mr. Willis, did you have some  
22 additional remarks?

23 MR. WILLIS: Thank you. I would like to  
24 call on Bill Powell, the settlement agreement

1 coordinator. Thank you, Mr. Chairman. Bill Powell  
2 is designated as the settlement agreement  
3 coordinator by the MOA. Many of you are probably  
4 familiar with Bill Powell, but he could not be here  
5 today.

6 So he prepared a very brief written update  
7 about what he sees as how the court has been  
8 progressing and implementing the reforms. It's a  
9 document that's on the table, that one page, and  
10 I'm just going to quickly go through that. And  
11 then we're going to move on.

12 Where we are on the agenda is we're on the  
13 second page of the agenda. So that -- the MOA,  
14 which you have a copy of, as has been indicated was  
15 signed on December the 17th, 2012. That's  
16 considered the effective date. The MOA addresses  
17 the areas for improvement, targeted for improvement  
18 such as due process, equal protection, protection  
19 from harm in the detention facility and like  
20 suicide prevention and community outreach. And  
21 that's what we're engaged in right now.

22 The settlement agreement coordinator, Bill  
23 Powell, was asked to file a report every six  
24 months, and he's done that already. There is a

1 copy in the large notebooks of the full report that  
2 Bill Powell filed with the DOJ around April 2nd.  
3 And then after that, the monitors make their  
4 independent assessment themselves. We just  
5 received a -- the due process monitors report and  
6 copies are on the table available for you and  
7 available online as well.

8 Bill notes in his notes that the court has  
9 made some accomplishments through the end of 2013  
10 (sic). They have revised the policies on  
11 protection against self-incrimination,  
12 confidentiality of delinquency hearings, policies  
13 on suicide prevention, the presence (inaudible),  
14 probable cause and termination, notes of charges  
15 and policies on transfer. That's been a lot of  
16 work.

17 These policies take a lot of effort. They  
18 have to be approved also by the DOJ. There's been  
19 substantial work as far as training as well. The  
20 DMC or -- that's disproportionate minority  
21 contact -- trying to reduce that, cultural  
22 diversity, use of force, racial and ethnic  
23 disparities in juvenile offender training  
24 (inaudible). That's the key thing as far as due

1 process in criminal defense -- juvenile defense, I  
2 should say.

3           However, there is work to be done over the  
4 next three months. There has -- the court needs to  
5 focus on additional due process policies, including  
6 bail and restitution improvements, data collection  
7 and analysis to insure equal protection and  
8 minimization of DMC -- we have Lisa Hill who is the  
9 DMC coordinator here today. She'll probably speak  
10 to some of these -- development of a strategic plan  
11 for DMC reduction and development and use,  
12 objective decision making tools, development and  
13 implementation of the community outreach program.  
14 That's what we're doing right now.

15           That's an evolving thing, and we certainly  
16 want your input on that. Please give that to Tom  
17 Coupe' or members of this consortium -- revised use  
18 of court policy and improvement on -- and suicide  
19 prevention policies. However, Bill has stated that  
20 there's been significant accomplishments. A great  
21 deal of work has been done on policy revisions.  
22 Improvements in most of the areas have been evident  
23 and -- but there's a need to insure that these  
24 policies (inaudible) match up. That's very



1       difficult.

2               You have a very different policy -- you  
3       have very different policies and everything has to  
4       fit together. There is a need to insure effective  
5       communication and more training on policy changes,  
6       and that's understandable. If there is a change,  
7       then there is a need to address resources for  
8       juvenile defense and the juvenile offender panel.  
9       In other words, it costs money for these -- to go  
10      forward.

11              And Bill expressed a concern about the  
12      suicide prevention policy, but I'm sure that these  
13      items will be addressed by Tom Coupe' and Larry  
14      Scroggs in the next session. In fact, I think now  
15      is the time for Larry Scroggs, if you'd like to go  
16      ahead and let us know what the court has been  
17      doing. Thank you.

18              MR. SCROGGS: Thank you, Mr. Chairman.  
19      I'm Larry Scroggs. I'm the chief administrative  
20      officer -- I had to think about it a minute -- and  
21      chief counsel for the juvenile court. I want to  
22      thank each member of the consortium for their  
23      willingness to participate in this historic  
24      venture.

1           Chairman Smith said this in the beginning,  
2     but it's a very important work. And it is  
3     something that we will be laying a foundation for  
4     the future in Shelby County in terms of juvenile  
5     justice. Few counties have the opportunity we have  
6     at this point to have this much of a positive  
7     impact and effect upon juvenile justice.

8           In fact, it's the stated intent of the  
9     Department of Justice that Memphis and Shelby  
10    County set the standard for juvenile justice in the  
11    United States. That's a tremendous challenge, but  
12    it's also a great opportunity. We're grateful that  
13    you're part of it, that you members of the  
14    consortium are willing to be part of that.

15           I want to also thank Craig Willis, who has  
16    done such a tremendous job in orchestrating,  
17    organizing, preparing and the tireless efforts on  
18    his part to get us to this point today as the first  
19    meeting of the Countywide Juvenile Justice  
20    Consortium.

21           I wanted to just spend just a couple of  
22    minutes, if I might, to give you a little bit of an  
23    overview of where we have been and where we are and  
24    where we're going. Most of you probably recall on

1 April 26, 2012, the Department of Justice held a  
2 press conference in Memphis at the federal  
3 building, and at that time, they officially  
4 released the report of the findings which  
5 culminated a two and a half year investigation that  
6 had been opened in August of 2009.

7 On the very next day, April 27, 2012,  
8 juvenile court staff began to address the measures  
9 that were going to be required to remediate the  
10 issues raised in the report of findings. I want  
11 you to -- maybe just to have some glimpse of how  
12 much work and effort has been undertaken in a very  
13 short time by juvenile court staff, it's been  
14 really an amazing thing to see.

15 We have 254 staff members of the court.  
16 That includes everybody, but there's been a core  
17 group of people who are responsible for addressing  
18 these -- the report of findings and beginning the  
19 reform process in terms of what the court could  
20 accomplish internally. That effort has continued  
21 even to this day, and today itself represents  
22 something of a continuation of that effort to bring  
23 us to the point where you can be informed -- much  
24 better informed about what has been taking place.

1           One of the things that has happened just  
2 recently -- just the other day, as a matter of  
3 fact, is we received the first report -- compliance  
4 report from the due process monitor, who is a  
5 professor at Rutgers law school named Sandra  
6 Simkins. She has an extensive background in  
7 juvenile justice, particularly in juvenile  
8 defense. She's been very helpful in her approach  
9 and also in what she has shared with us in terms of  
10 her expertise.

11           And what she has been engaged in has been  
12 reviewing the reforms, the revisions to policy.  
13 Reform and policy work are not easy. In fact,  
14 they're very hard work. Many of you have  
15 participated in those kinds of endeavors and know  
16 what I'm talking about. When you begin to try to  
17 revise and develop policy, you get into some really  
18 intricate work.

19           And so what Ms. Simkins has been doing the  
20 last several weeks is reviewing policy revisions  
21 that have been put in place by the court in the  
22 area of due process. Her conclusions on policy  
23 revisions are very positive. If you have a chance  
24 to read the report, I encourage you to do so. It's

1 posted on the juvenile court web site. It's on the  
2 web site of the Department of Justice, and I  
3 believe Craig told me it's on the county web site  
4 as well.

5 MR. WILLIS: Yes.

6 MR. SCROGGS: So we have ample  
7 opportunities for you all to see that. I think  
8 it's very important because it's sort of a baseline  
9 for where we are at this point in view of the due  
10 process model. What we have is structure here  
11 to -- just to try to make it as understandable as I  
12 can, we sort of focused on policy, procedure and  
13 practice. Each one of the areas of revision and  
14 reform, that's the way we approached it.

15 And then we had to have a policy in  
16 place. We had to develop a procedure based on the  
17 policy, and then we had to perfect our practice,  
18 which is designed to institutionalize the changes  
19 that are being made in the process. That work is  
20 well under way, but realistically, I think it will  
21 take us until the end of 2014 before we are in a  
22 position to say that we have substantially complied  
23 with the memorandum of agreement.

24 I say realistically because I think it

1 will take that long to -- not to get policy in  
2 place -- I think we're pretty much there -- not to  
3 develop procedure. We're pretty much -- but the  
4 practice itself and the training that is required,  
5 not only for court staff but also for defense  
6 counsel, is a very important part of what we look  
7 at when we think practice. We want to make --  
8 practice makes perfect. That's what we want to  
9 do. We want to continue to build on that. So  
10 realistically, I think we're about 18 months away  
11 or so from that.

12 Now, where we are now almost literally is  
13 just six months from the release of the agreement  
14 the memorandum of agreement. So a tremendous  
15 amount has been accomplished at this point.

16 I want to just very -- two others very  
17 quickly, and that is -- well, two things: We have  
18 four parts to this memorandum of agreement, if  
19 you've had a chance to look at it. Due process,  
20 equal protection, protection from harm or facility  
21 safety and community engagement or community  
22 outreach. What we are trying to do -- and we think  
23 realistically -- is approach each of these on a  
24 time table that makes sense.

1           I've already mentioned due process and  
2       where we think we will be. We think we'll be  
3       substantially in compliance with that in 18  
4       months. On the area of equal protection, there's a  
5       very intricate and difficult area in many respects  
6       because it involves so much data and analysis of  
7       that data. It has to be accumulated over a  
8       sufficient length of time to judge whether or not  
9       our trends are improving in terms of reducing  
10      disproportionate contact.

11           We think that will take a while. That  
12      probably will take two years from the time of the  
13      agreement -- the effective date of the agreement to  
14      really get a handle on it, because we're looking at  
15      a base year that probably will be 2009 and 2010, so  
16      we want to measure going forward.

17           Soon you will have available the first  
18      compliance report of the equal protection monitor,  
19      who is Dr. Michael Leiber from the University of  
20      South Florida. I'm anticipating -- I think we're  
21      all anticipating it will be probably released this  
22      coming week, so you'll be getting -- you'll be able  
23      to judge for yourselves where we are as he has  
24      looked at the baseline and established the baseline

1     going forward.

2             The third area, facility safety for  
3     protection from harm, which heavily involves  
4     prevention of suicide -- fortunately in Shelby  
5     County we've not had suicide in the juvenile  
6     justice system in the detention center. There was  
7     a suicide in 1974. That's the last time that  
8     unfortunate situation occurred, but we have a lot  
9     of protections that are built into the MOA, a lot  
10    of requirements to prevent that sort of thing.

11            We think, if the county commission  
12    approves our medical and mental health services  
13    contract in the next couple of weeks, that it's  
14    realistic to assume that by the end of this  
15    calendar year -- that is December of 2013 -- we  
16    should have remedied all the issues relating to the  
17    facility itself.

18            The fourth area is, which is where we are  
19    today, community outreach and engagement. Built  
20    into the agreement itself is that it will take  
21    about a three year track to engage the community,  
22    to achieve input and information from the community  
23    and convey input to the community about juvenile  
24    justice reform.



1           I think it's very important to do that  
2       because what we're really needing to do, wanting to  
3       do and expected to do is to change mind-sets and  
4       perceptions so that at the end of this venture that  
5       we're undertaking, the community itself will have  
6       faith and confidence in the juvenile justice system  
7       more than it has ever had. And in order to achieve  
8       that, it's going to take -- it's a two-way street.  
9       It's going to take input from you, the community,  
10      information from the court flowing back and forth  
11      as we go forward.

12           Those things will be measured as well. In  
13      fact, there will be a community survey that will be  
14      taken to try to assess where we are now to  
15      establish a baseline. Those are some things I want  
16      us to -- just one quick thing. I would like for us  
17      to all think of it this way. Think of the future.  
18      We have a chance today to imagine what our juvenile  
19      justice system can be like. We have a chance  
20      to make it happen and meet that standard that the  
21      Department of Justice would like us to meet to be  
22      the model for juvenile justice of the United  
23      States. Thank you.

24           MR. SMITH: Thank you very much, Larry.

1 As you've heard since the outset of this  
2 afternoon's open forum, the issues surrounding our  
3 juvenile justice system, the Shelby County Juvenile  
4 Court are quite complex. I don't say that in any  
5 shape, form or fashion to -- to appear overwhelming  
6 but rather to convey a simple message to the public  
7 that the Countywide Juvenile Justice Consortium is  
8 aware of these issues, and it is going to take some  
9 time for us to move forward.

10 But we are all very enthusiastic about  
11 accomplishing those objectives. Having said that,  
12 one of the items identified -- one of the critical  
13 areas that were identified throughout the  
14 investigation and -- and that pursuant to the  
15 memorandum of agreement must be addressed has to do  
16 specifically with disproportionate minority  
17 contact.

18 And having said that, I would like to call  
19 up Ms. Lisa Hill to speak to those issues a little  
20 bit more eloquently. Lisa?

21 MS. HILL: Good afternoon everyone. I  
22 want to begin by thanking everyone for coming out.  
23 I know that it's a beautiful Saturday. Most of you  
24 could probably be out there doing some other

1 things, but you chose to come here. I know that  
2 this is something that everyone in this room finds  
3 extremely important. I do too. That's the reason  
4 why I'm a part of this reform.

5 I want to begin by just sharing a little  
6 bit of information just so that you'll have an  
7 understanding of what my role is as DMC  
8 coordinator. I was appointed by Mayor Luttrell. I  
9 have not been with juvenile court for that long. I  
10 joined this reform process this past February, and  
11 it has been quite interesting. For me, I didn't  
12 come in -- I wasn't inside the juvenile justice  
13 court. I was completely outside.

14 I worked with the adult population. As a  
15 matter of fact, I worked with the mentally ill at  
16 the criminal justice center, and prior to that, I  
17 spent a number of years managing large projects.  
18 So when I looked at this job and I looked at  
19 everything that needs to be done, I had to put it  
20 in a way that I thought working with my background  
21 and the things that I know, managing projects and  
22 taking nothing and then actually creating something  
23 from that and building something from the ground  
24 up.

1           I found this is as a -- to be a wonderful  
2           opportunity for me to come in and, as Larry Scroggs  
3           said, build this foundation, and even though it's  
4           not going to be something that can take place  
5           overnight, in time, my vision is that we will have  
6           a juvenile justice system that will be unlike the  
7           one that you've seen.

8           I've worked with the juvenile court staff  
9           for a short period of time, and I can say to all of  
10          you that the entire staff is working extremely hard  
11          on trying to meet the requirements of the  
12          Department of Justice. There's a lot of things  
13          that they're asking of us. There's a lot of things  
14          that they're asking me to do. As a matter of fact,  
15          what I thought I was going to be responsible for  
16          initially when accepting this position changed when  
17          the monitors came in to visit us in April.

18          So we just had to take what's thrown at us  
19          and just keep moving because the ultimate goal is  
20          the children. We know that we want to make sure  
21          that the kids -- all children are being treated  
22          fairly, and with that, I just want to give you just  
23          an idea of what we've accomplished. We are in the  
24          beginning state right now of evaluating the data.

1           We've been working for these past almost  
2   four months on just trying to compile the data,  
3   trying to get into the systems. For me -- again,  
4   not being inside of the juvenile court system -- I  
5   had to learn the different areas, determine where  
6   data was being stored. So it was a little bit  
7   complicated at first, but we have the data. We  
8   have the numbers. We've turned it over to the  
9   Department of Justice.

10           So this is where the fun part starts  
11   because we have the numbers. This is where it gets  
12   extremely interesting because now that the numbers  
13   are available, we have to sit down and really start  
14   to dig deep to look at what these numbers mean. We  
15   first have to gain an understanding. It's just a  
16   bunch of numbers.

17           We do see that there are some disparities  
18   at some critical decision points in this process,  
19   so now we have to begin the journey of looking into  
20   why we have some higher numbers in certain areas,  
21   why there are lower numbers and then start looking  
22   at policies and procedures. We have to really dig  
23   deep to get inside those policies and procedures  
24   and look at decision points. We have to look at

1     what methods they're using to make the decisions  
2     that they're making.

3             We have to look at -- you know, there may  
4     be -- there's some things that they're doing  
5     unknowingly that may be causing DMC. We don't know  
6     that yet. But it's -- it's -- we're at the  
7     beginning stages. It's not going to be something  
8     that we can fix overnight. This is going to be a  
9     long-term effort on everybody's part. It's going  
10    to take teamwork, teamwork, teamwork. There is no  
11    way that, as the DMC coordinator, I'm going to be  
12    able to do this by myself because I don't know  
13    their policies.

14            So I'm working with these individuals to,  
15    you know, hopefully try to decrease where DMC is  
16    currently occurring to make sure that moving  
17    forward that we don't have these things -- same  
18    things occurring. The report will be going out on  
19    June 17th. There's a lot of information that I  
20    have to compile that I have to deliver to the  
21    Department of Justice. And it's right around the  
22    corner.

23            Again, a lot of the work has been -- has  
24    been completed, but where we get into reviewing

1 policies and procedures and making recommendations  
2 for changes, that's really going to be time  
3 consuming and is going to be a work in progress.  
4 So I don't expect this to be something that we'll  
5 be reporting on as a fixed problem in the very near  
6 future, but just understand that the juvenile court  
7 staff is -- is working on it, is working on trying  
8 to find where the disparity is occurring.

9 I don't have anything else at this point.  
10 I don't know if you'll open it up for questions  
11 later.

12 MR. SMITH: Yes.

13 MS. HILL: I just wanted to thank you for  
14 your time.

15 (Applause.)

16 MR. SMITH: Very good. Thank you very  
17 much, Ms. Hill, and Mr. Scroggs and Mr. Coupe', and  
18 since I just mentioned Mr. Coupe', again we need  
19 assistance one more time at the podium. We'd like  
20 for you to talk a little bit more about the role of  
21 the juvenile court community outreach.

22 MR. COUPE': Okay. The -- part of my role  
23 today was also -- as part of the community  
24 outreach, we need to let the public know about the

1 current progress with reforms. And fortunately,  
2 Mr. Scroggs did a good job of giving a really good  
3 overview of where we are and what the anticipated  
4 time lines are.

5 There are some things particularly that  
6 I'm going to touch on that will give you a better  
7 idea of specific things that the DOJ has recognized  
8 and where we are with those -- those situations.

9 One of the things that did come -- and in  
10 a general sense that was discussed by Mr. Scroggs  
11 was that the compliance monitor -- and when you  
12 read the reports that the compliance monitors have  
13 submitted, there -- there aren't going to be any  
14 situations in which the compliance monitor has  
15 said, "Juvenile court is now complying 100 percent  
16 with what they've been asked to do," even though we  
17 are doing the things that we're supposed to do  
18 because, as Mr. Scroggs stated, they wanted to see  
19 them in a longer period of time.

20 So it's not as if we haven't complied with  
21 what they've asked. But we haven't -- they want to  
22 see a long-term commitment for what we're doing.  
23 For example, one of the big concerns the Department  
24 of Justice had was that we weren't holding



1 detention hearings within 48 hours of a child  
2 brought to the detention center. State law allows  
3 us to do 72 hours, but with discussions with the  
4 Department of Justice, they wanted it to be 48.

5           So as June of last year, we have made sure  
6 that no child that comes in our detention center  
7 does not have a probable cause determination within  
8 48 hours. And that's been continued and that's  
9 been found to be an area in which we have not gone  
10 past our promise to do that. The DOJ has  
11 recognized that we're following that procedure.  
12 They have not stamped approval saying it is fully  
13 compliant, but that's one instance right there  
14 where you'll find that we've been asked to do  
15 something. We are doing it, but we haven't gotten  
16 approval because it isn't done for a long, long,  
17 long period of time.

18           I have a long PowerPoint that I'm going to  
19 shorten because Mr. Scroggs has done an excellent  
20 job in talking about what -- where we are. But  
21 there are some things I really do want to point  
22 out. We're talking about juvenile law, and it is  
23 very, very important to understand that  
24 juveniles -- while juveniles and adults have

1 similar constitutional rights attached to them,  
2 there's a different theory and process behind how  
3 we treat juveniles versus how we treat adults.

4 First of all, in the juvenile court  
5 statutes themselves they note the purpose of  
6 juvenile court is to provide treatment, training  
7 and rehabilitation programs for children committing  
8 delinquent acts. So you'll see the words  
9 delinquent act. You won't see the child being  
10 convicted. You won't talk about a child being  
11 arrested, and you'll never hear about adults being  
12 provided treatment, training and rehabilitation.

13 The purpose of the adult system, for the  
14 most part, is punishment, and we don't want to  
15 punish juveniles in the juvenile system. We want  
16 to treat them. We want to rehabilitate them, and  
17 we want to make sure that they get the services  
18 they need to go back in the community to be -- to  
19 get what they need to be good kids.

20 Maintain a family environment, separating  
21 children from their parents only when absolutely  
22 necessary to insure the child's welfare or interest  
23 in the public safety. And that comes into place a  
24 lot right now when we're dealing with detention

1     hearings and what to do with the child when a child  
2     has been brought to the court in determining  
3     whether or not that child should remain in custody  
4     until a hearing or be let go back into the public  
5     until that hearing takes place.

6             Again, here's the part (inaudible). A  
7     juvenile -- or the taking of a child into custody  
8     is not an arrest except for the purposes of  
9     determining validity under the constitution. We  
10    don't arrest kids in the juvenile system. We also  
11    have a different juvenile determination between  
12    bail as the adults do. Juveniles do not have the  
13    right to jury trials. That's one difference in the  
14    juvenile system in Tennessee, at least, and the  
15    adult system. There's no right to a jury trial in  
16    the juvenile system here, and there is no right to  
17    bail.

18            In the adult system, there is a  
19    constitutional right to bail, and in the juvenile  
20    system, there is not. It's very interesting why  
21    they would say that. The Supreme Court justices in  
22    that case found that children are always in some  
23    sort of custody, whether it be with their parents  
24    or an agency or whoever. You know, your -- as you

1     probably know, your 13-year-old can't tell you  
2     whenever they want to they're going to leave the  
3     house. They can't decide to go to a movie at ten  
4     o'clock at night without having some kind of  
5     permission.

6                 So even in the home of the parent, they're  
7     always kind of in custody, so the Supreme Court  
8     kind of viewed the idea that the right to bail when  
9     a child is detained -- they're still in a kind of  
10    custody in their rights to -- that they have to  
11    come and go as they please aren't quite as distinct  
12    as adults.

13                The -- the -- in talking about due process  
14    violations, this is what the DOJ memorandum -- the  
15    findings say. "We find that juvenile court engages  
16    in a pattern of practice of violating children's  
17    due process rights by not giving petitions to  
18    children at detention hearings. Furthermore, the  
19    court's policy of distributing petitions does not  
20    provide sufficient notice to the children in  
21    advance of the hearing to permit preparation." And  
22    that's one of the main issues we addressed right  
23    off the bat.

24                We now -- juvenile court now requires that

1 a sworn affidavit of complaint is required for  
2 admission into detention. And what that means is  
3 when a police officer comes to the detention center  
4 with a child, that officer then has to swear to the  
5 facts in front of a -- I guess it's a --

6 MR. SCROGGS: A deputized clerk.

7 MR. COUPE': -- deputized clerk. Thank  
8 you. So you take that sworn affidavit and make  
9 sure that the facts are there and then bring that  
10 child in. The child now, unlike in the past, is  
11 provided a copy of that affidavit when that child  
12 is released, and the child's attorney is now  
13 provided a copy of that sworn complaint before the  
14 detention hearing. So that remedies one of the  
15 concerns that the child -- and the child does not  
16 have an opportunity to prepare his defense -- his  
17 or her defense prior to a detention hearing.

18 So right after that when the DOJ  
19 recognized that concern, we took that concern and  
20 said, "Thank you very much. We're now going to  
21 change that." And that's one of the processes by  
22 which we've made -- made a change.

23 We now with the petition -- one of the  
24 things that the DOJ wants us to do is to create a

1 petition when a child -- when charges are filed  
2 against a child. It's a very interesting process  
3 though from the court's standpoint. What we don't  
4 want to do in juvenile court is further put the  
5 child into the juvenile system.

6 One of the main concerns, one of the  
7 main -- the main tenets of juvenile justice, as we  
8 learned, as a child -- as a child -- a  
9 practitioner -- a juvenile law practitioner, you  
10 don't want to have children indoctrinated into the  
11 system. I get phone calls at my office asking --  
12 parents asking me to kind of bring their kid into  
13 the detention center for a scared straight program  
14 or a child might get brought to detention because  
15 of some sort of minor charge and the parent tells  
16 them -- tells the detention center to leave that  
17 child there. "I want to teach them a lesson."

18 Those things do not -- studies have  
19 shown -- do not help a child at all. Keeping the  
20 child out of the system helps the child, not  
21 putting the child in the system to teach that child  
22 a lesson. The more often we can keep children out  
23 of the system, the better -- the better chance --  
24 the stats have shown across the board that children

1 are going to have much, much better outcomes.

2 And part of that is not creating  
3 petitions. If we've created a petition for a  
4 child, that child now has a record; all right? And  
5 we don't want a child to have a record, so one of  
6 the things we try to do is hold off on a petition  
7 as long as possible, until we know that child is  
8 going to get charged. Now, the affidavit of  
9 complaint is out there. But oftentimes, a child  
10 can be brought in on an affidavit, and sometimes  
11 that case can be dismissed. That child can be  
12 diverted, and that case would never make it into  
13 the court system.

14 The minute we file a petition, that child  
15 is into the court system, and when he's 20 years  
16 old and he's trying to get in the military and they  
17 do a background check and we have the -- and the  
18 clerk of court has to provide them a copy of any  
19 juvenile things, he's going to have a record.

20 And we don't want that record there, so  
21 one of the things is balance the issues with making  
22 sure that the child's constitutional rights are  
23 protected by making sure they have notice of the  
24 charges, but also protecting that right of the

1 child to be free from any sort of indication of  
2 criminality or juvenile delinquency in the future  
3 as they become older.

4 We've also changed the way petitions have  
5 to be modified in advance of a hearing. Charges  
6 have to be amended now 14 days before the hearing,  
7 meaning that a defense attorney, a child and the  
8 child's parents have to be aware if the prosecution  
9 is going to change the charges. So if the child is  
10 being charged with assault and something happens  
11 that the victim and the -- the DA and the police  
12 decide to make that charge aggravated assault, now  
13 the parties have to be notified 14 days in advance  
14 in order to give that child and the child's defense  
15 counsel an opportunity to prepare a much better and  
16 much stronger defense.

17 We don't want to catch anybody off guard.  
18 To have that child walk into a courtroom facing  
19 what he thinks is going to be a regular assault  
20 charge that he thinks he'll probably be able to  
21 pass through a diversion commitment and then they  
22 say, "You know what? We've got you for aggravated  
23 assault and now we're going to try to send you to  
24 DCS custody" -- so that's one of the main things



1 we're doing with the notice of petitions.

2 One of the other issues also is the court  
3 violated the right to be free from  
4 self-incrimination during probation conferences by  
5 eliciting self-incriminating statements, failing to  
6 advise children of their rights prior to  
7 questioning and not obtaining informed waivers from  
8 juveniles. Now, again that was a -- a fix which we  
9 immediately addressed. The probation counselors no  
10 longer use the visit and contact form. The hard  
11 copy waiver that is presented to the child at the  
12 first contact with the court is required to be  
13 re-acknowledged during the legal process and  
14 policies have been adopted requiring judicial  
15 officers not to proceed with a case until a child  
16 (inaudible) self-incrimination.

17 When a child brought into our detention  
18 center -- if a child is brought into the detention  
19 center, they then are given their -- basically  
20 their Miranda rights. They're read that they have  
21 the right to an attorney and all those other  
22 rights, and they're given a copy right then and  
23 there. And then the first time -- their first  
24 opportunity to have to meet with an attorney, they

1 are -- that attorney then will then re-explain  
2 those rights. And the judicial officer at that  
3 child's first hearing will then again explain to  
4 that child his right to an attorney, his right to  
5 remain silent, his right to call witnesses and all  
6 those things.

7 We're making sure over and over again  
8 throughout the juvenile process that children are  
9 reminded of their rights and have the ability to --  
10 to make those informed waivers. I'm going to skip  
11 that one here. How much time do I have?

12 MR. WILLIS: You're doing okay.

13 MR. COUPE': We're doing okay? All right.  
14 We're on a pretty good time table right now, and I  
15 don't want to go over time because I know we'll  
16 have room for questions today so I want to make  
17 sure everybody has an opportunity to ask whatever  
18 questions they need to.

19 The ethical issues on the child's rights,  
20 this is more of a classroom kind of topic here  
21 that -- before or after a petition is filed, the  
22 probation officer may give counsel and advice to  
23 the parties with a view to informal adjustments --  
24 an informal adjustment if it appears that the facts

1 bring the case within the court's jurisdiction,  
2 counsel and advice without an adjudication would be  
3 in the best interest of the child and the child's  
4 parents, guardian or custodian give consent.

5 This is one of the -- one of the  
6 interesting situations that the DOJ has -- has some  
7 concerns with, and it is the way in which we  
8 normally would discuss with the children in a  
9 case -- a case that would more likely than not have  
10 brought the child in through some sort of law  
11 enforcement and detention. It would have been more  
12 through a summons or some other issue like that.

13 So a child would be brought in and then  
14 referred to juvenile court to talk about their --  
15 their situation. At that point, then a probation  
16 counselor would talk to the child and say, "Hey,  
17 this is what's going on. You're charged with  
18 vandalism, and this is the fact. You're charged  
19 with vandalism. And, you know, we can discuss this  
20 right now, and if we can kind of come to an  
21 agreement, we will be able to take this case and  
22 take care of it. And if you don't want to talk  
23 about it, then, you know, we'll go from there."

24 And the DOJ had an issue with this, and

1     it's difficult because it's Tennessee law. See, we  
2     have this conflict again between Tennessee law and  
3     between the best practices in juvenile -- national  
4     juvenile practice. So we've tried to reform  
5     this -- this informal adjustment to make sure that  
6     the child, even at this stage in the -- their case,  
7     that they have the opportunity for counsel. So  
8     when we have these informal adjustments we've been  
9     setting these to have an attorney present to make  
10    sure the child's rights are taken care of.

11           And unfortunately right now, we're going  
12    through a difficult situation, not with our court,  
13    but with the State of Tennessee right now, and if  
14    any of you know a legislator and want to talk to  
15    somebody, one of the concerns we have right now is  
16    that the Supreme Court of Tennessee has  
17    chosen to -- I believe they don't want to pay  
18    attorneys to appear at these hearings.

19           So right now, it's put the juvenile  
20    court -- put us in a very difficult spot because we  
21    understand the right these children have, the need  
22    to have an attorney. But right now, the method by  
23    which attorneys get paid for this -- for this  
24    process right now has been put aside, so we're

1 working right now through a lot of people right now  
2 to figure out how the best way is to make sure  
3 we're fully compliant with this and make sure that  
4 the children's rights are being taken care of and  
5 they aren't having their rights violated.

6 And I mentioned the legal rights and legal  
7 (inaudible) and how those things take place. The  
8 timeliness of probable cause hearings, the juvenile  
9 violates a child's right to a timely probable cause  
10 determination by failing to hold detention hearings  
11 on weekends and holidays. As discussed, the court  
12 rules require the court accomplish several things  
13 at the detention hearing, including arraigning the  
14 child, informing the child of his or her rights,  
15 and the crucial purpose of these two Supreme Court  
16 cases, making a determination of probable cause.

17 Those two underlined things, Gerstein and  
18 County of Riverside -- those are both Supreme Court  
19 cases that focused on adults, adult arrests. And  
20 during those cases, the Supreme Court of the United  
21 States, after looking at a combination of those two  
22 cases, has held that an adult who is detained by  
23 law enforcement must have a probable cause  
24 determination of their detention within 48 hours,

1 no ifs, ands or buts.

2 That has now been brought down to -- the  
3 DOJ wants the juvenile court in Shelby County to  
4 follow that requirement. Those (inaudible)  
5 jurisdiction issue is 48 hours. The Department of  
6 Justice recognized in a Sixth Circuit case, a  
7 federal case that Tennessee (inaudible) is the  
8 question that juveniles would have to -- the court  
9 would have to follow it based upon that. That was  
10 a little different.

11 That dealt with a case in which a young  
12 man -- a 17-year-old, I believe, was out on a  
13 curfew violation, and he was locked up in an adult  
14 prison for seven to ten days, I believe. So it  
15 didn't necessarily deal with a delinquent, per se.  
16 It was more of an unruly child. In any event  
17 though, detention -- this is what Tennessee law  
18 says. "A detention hearing for a child alleged to  
19 be delinquent shall be held no later than three day  
20 after the child is detained. The detention hearing  
21 shall be held no later than 84 hours after a child  
22 is placed in detention." However, the (inaudible)  
23 requires that the court follow the 48 hour time  
24 line under the statute.

1           So, you see, this is an issue in which the  
2 juvenile court is going even further than anybody  
3 in the State of Tennessee would follow. Right now,  
4 Davidson County doesn't follow this, Knox County,  
5 Jackson. Nobody follows it. We do. Since June of  
6 2012, we have held probable cause determinations on  
7 weekends and holidays. We're making sure that no  
8 child, when they're brought into our detention, has  
9 had -- goes without a probable cause determination  
10 in that time period.

11           From that time period -- from -- this is  
12 from -- as of February of -- when I -- when this  
13 slide was done. We had 324 probable cause hearings  
14 in that time period, and 156 of those kids were  
15 eligible for release as a result of those  
16 hearings. So that's the fantastic -- a fantastic  
17 idea. Know that even in that short period of time  
18 that -- that Tennessee -- that Shelby County  
19 following this best practice has now affected 156  
20 children in a positive manner.

21           Children that did not need to be detained  
22 for a period of time were released, and they are  
23 back in their homes. They are back where they  
24 needed to be and had a better opportunity because

1 of this situation. So this is a fantastic -- this  
2 is one small area in which you can say there is a  
3 measurable effect, something that's actually --  
4 what good has come out of this? Right there, 156  
5 kids I guarantee you will say, "I would much rather  
6 not be in detention than be in detention." Because  
7 the new policy was put in place, those children  
8 were affected in a positive manner.

9 And this is the biggest -- the biggest  
10 issue right now that we're facing with the court is  
11 the failure to conduct constitutionally required  
12 transfer hearings. The court -- it failed to meet  
13 the requirements of due process and the  
14 requirements of Tennessee law. The statute  
15 contemplates juvenile courts will engage in a  
16 thorough inquiry prior to transferring a child to  
17 adult court.

18 Here's some of the measures we've taken to  
19 address those findings. One of the things that we  
20 put into place was that we -- actually the court --  
21 I won't say actually me -- submitted the idea that  
22 the district attorney file what's called a notice  
23 of transfer. That now lets people know, lets the  
24 child know and the child's attorney know that the



1 district attorney is going to take the case and  
2 perhaps attempt to make that case a transfer case.

3 It puts them -- it puts the defense on  
4 notice. It puts the court on notice. It puts all  
5 parties involved in the process on notice that this  
6 is a transfer case which will bring a higher degree  
7 of scrutiny and a higher degree of concern because  
8 it's such an important decision. When you're  
9 transferring a child from the juvenile court to  
10 adult court, it's a tremendously difficult decision  
11 to make.

12 What you're doing by doing that is you're  
13 taking the ability of juvenile court to  
14 rehabilitate, to treat and to bring that child back  
15 in the public. You're saying, "You know what?  
16 This child is beyond rehabilitation. He's  
17 committed a crime that is so -- it is so bad or  
18 he's committed so many crimes so bad that we don't  
19 want him in the juvenile system. He is only  
20 suitable for punishment." It's a very, very  
21 difficult situation to undertake.

22 Right now, the juvenile court is also in  
23 the process of negotiating with the Department of  
24 Children's Services and other stakeholders and

1 court personnel to create a pretransfer report to  
2 make sure that when a child is being transferred,  
3 that all information possible will be put out there  
4 for that -- to the best -- the most information  
5 possible when making that decision.

6 It also requires that the DA prove  
7 probable cause when the child is not capable of  
8 treatment or rehabilitation. Written findings of  
9 fact are being done now by the judges to make sure  
10 that the reasons and the thought process for why  
11 the child is being transferred is being put out  
12 there.

13 It's very important right now -- if you  
14 look back at an old juvenile court order for  
15 transfer -- let's say two or three or four years  
16 ago, it's basically going to say the child is being  
17 transferred. He's no longer suitable for  
18 rehabilitation, and the child is now transferred.  
19 Now -- so to go back and look and wonder as to why  
20 was that child transferred, there's really nothing  
21 that we can give you as a citizen or as a concerned  
22 person.

23 What was the thought process behind this?  
24 What happened? What was going on? Who were the

1 witnesses? Who was the victim? What was -- you  
2 know, what the situation is. Now, because of the  
3 more thorough orders and written findings, they'll  
4 be able to look at that written finding and say,  
5 "Hey, this child was charged with X, Y and Z. This  
6 witness testified to this. This witness testified  
7 to this. This child has a previous history of X, Y  
8 and Z, and this child will not be able to be  
9 rehabilitated based upon the testimony of these  
10 people who believe that these services will not be  
11 available."

12 So at least at this point, whether or not  
13 we like the idea of a child being transferred, at  
14 least there will be a rational basis behind why  
15 that was done. You're going to look at that and  
16 get a better idea of why things happened. This is  
17 much better than the -- for the -- you know, for  
18 the Department of Justice when they're conducting  
19 case file reviews, for the court when we're filing  
20 case -- case file reviews.

21 In making sure that all these processes  
22 are taking place, there's actually a way to look  
23 without -- without having to listen to the  
24 recording or the transcript of the hearing. Look

1 at the order and say, "Okay. This is what's going  
2 on." This either make sense or it doesn't make  
3 sense. At least you have a much better basis.

4 Detention hearings now are -- are more  
5 confidential. Only those properly concerned or  
6 have a direct interest in the case are now allowed  
7 in the hearings. We don't want people coming into  
8 hearings that -- to get the business of some other  
9 child. And that's -- you know, that's just not  
10 right.

11 There are certain times where a case will  
12 be open. The judge has -- still has that  
13 discretion and policy, but the general practice now  
14 is to make sure that only the child and those  
15 properly concerned with the case are involved in  
16 that case.

17 "The juvenile defender's -- the juvenile  
18 defender's office is" -- this is what the DOJ  
19 says -- "not an independent agency nor is it  
20 affiliated with the county public defender's  
21 office. Instead, the court operates it entirely,  
22 and the chief public defender is appointed by and  
23 reports directly to the juvenile court judge. The  
24 organizational structure, while not

1     unconstitutional per se, creates an apparent  
2     conflict of interest, as a juvenile defender must  
3     balance the duty of representing his clients with  
4     the inherent loyalty or duty to his employer."

5             In any event, the public defenders  
6     bring -- the public -- the PD's office to juvenile  
7     court -- our chief public defender, Stephen Bush,  
8     was kind enough to come to this and I don't -- I  
9     don't know if he wants to make any statements at  
10    all. If he does -- do you want to make a statement  
11    about your involvement in this process, you can.  
12    If not, then -- by asking that question, I'm  
13    certainly putting you on the spot.

14            MR. BUSH: Good afternoon, everyone.  
15    Thank you for showing up. We're waiting on the  
16    mike.

17            MR. WILLIS: Just stay right there if  
18    you'd like. Here's the microphone.

19            MR. BUSH: Y'all go ahead.

20            MR. WILLIS: Did you want to say  
21    something?

22            MR. COUPE': I think -- I think the  
23    general (inaudible) -- as Mr. Bush said, they're  
24    waiting -- ideally the DOJ is -- they would like

1 the primary responsibility of juvenile defense to  
2 be taken over by the public defender's office.  
3 Mr. Bush is working feverishly to do so, and when  
4 it's ready, when it's done -- I'm not speaking for  
5 him. I'm just speaking in a general sense. My --  
6 my sense is when it's ready and when everything is  
7 ready to go, then it will go and not until it's  
8 ready and not until it's a good work.

9 So in the meantime, we've been working  
10 with Sandra Simkins, who is our -- the due process  
11 monitor. She provided a great deal of training for  
12 the panel that's involved right now. That panel of  
13 current attorneys is a very experienced panel, very  
14 good attorneys, and I know a lot of the attorneys  
15 were -- that are involved in our process were taken  
16 aback by some of the statements that were made in  
17 the findings.

18 There are a lot of people that I would  
19 trust my children to, even though my two and a half  
20 year old should not be going to juvenile court any  
21 time soon, but they're really good attorneys. And  
22 the court is working with them. They're doing a  
23 fantastic job. But ideally, Mr. Bush will take  
24 over.

1           And this is basically the rule itself that  
2       states how attorneys should be -- should be  
3       appointed. "When appointing counsel for indigent  
4       defendants, the court shall appoint the district  
5       public defender's office, the state post-conviction  
6       defender's office or other attorneys employed by  
7       the state qualified pursuant to this rule." And  
8       that's basically the idea that public defenders  
9       should be the ones that are taking the role of  
10      defending the children.

11           Obviously, they'll be conflicts. And the  
12      public defenders cannot take every single case any  
13      way, so we're still going to have to rely on our  
14      loyal group of defenders who have been doing this,  
15      just as the adult system does. Public defenders  
16      are charged the primary responsibility of  
17      representing the defense. However, there are times  
18      in which other attorneys and bar members take cases  
19      to represent an adult.

20           That kind of sums up where we are with  
21      the -- those major -- those major issues. It's  
22      more difficult to kind of touch on the due process  
23      issues because again, as Mr. Scroggs and Ms. Hill  
24      both pointed out, those are very nuanced issues

1     that don't have any specific -- there's nothing  
2     that stands out and says that we can show right now  
3     that we've done something.

4             I can say that -- that back in 2006 --  
5     this is just a number. But in 2006, 9,000 children  
6     were brought to our detention center by law  
7     enforcement. In 2012, right under 3,000 were  
8     brought down. So we've been working -- making  
9     efforts with law enforcement. Our court itself has  
10    made efforts to make sure kids, when they're  
11    brought to our detention center, they are brought  
12    here -- they're not kept here unless there is a  
13    reason for them being here.

14            There are a lot of reasons we have that,  
15    but I really don't have time to go into it today.  
16    But juvenile court has put a lot of measures in  
17    place to make sure that the -- the number of  
18    kids -- only the kids that really need to be down  
19    here are the ones that are down here and that  
20    number will continue to decline. I know for a fact  
21    that this year that number was drastically lower  
22    than it was even last year.

23            So that 9,000 number will likely be down  
24    thousands, under 2000 probably this year. So we're



1 making sure only the children (inaudible). I'm  
2 going to turn the microphone back over now. Thank  
3 you very much.

4 MR. SMITH: Thank you very much, Tom, for  
5 that excellent (inaudible). Ladies and Gentlemen,  
6 one of the predominate and primary roles of the  
7 juvenile justice consortium and essentially why we  
8 were formed was to receive and solicit input from  
9 the community and subsequently take that input --  
10 that input, that message that we received from you,  
11 back to the juvenile justice court and Shelby  
12 County juvenile justice system.

13 Having said that, there should have  
14 been -- I'm hoping that there was some question and  
15 answer cards. And what we would like to do is  
16 offer you an opportunity to ask questions of either  
17 members of the juvenile justice consortium,  
18 Mr. Coupe', Ms. Lisa Hill, Larry Scroggs, and we  
19 will respond accordingly. Additionally, if you'd  
20 like, you're perfectly welcome to come up to the  
21 podium and ask your questions from here if you'd  
22 like. Oh, you have it?

23 MS. HUGHES: Thank you, Tom.

24 UNIDENTIFIED WOMAN: I actually just

1     wanted to clarify something. On one of the slides,  
2     it says the decision to transfer is not a decision  
3     of court, but of the DA. Is that a change that was  
4     made and, if so, what was the reasoning behind  
5     that? And that's in reference to the transfer  
6     hearings.

7             MR. COUPE': I can answer that one. Can  
8     everybody hear me, or do you want the mike on?  
9     Okay. The question was the decision to transfer --  
10    in a general sense, the idea of transferring a  
11    child to adult court is one that's more often than  
12    not initiated by the prosecution.

13            At some point, the court can make a  
14    statement that -- during a hearing or during a  
15    process that, "Well, I believe this -- you know,  
16    this case should be a case for transfer" and then  
17    direct the prosecution to file a motion to transfer  
18    or notice of transfer. In a general sense though,  
19    the way we're doing it now is the onus is on the  
20    prosecution. And there have been some times --  
21    very few times in which -- in my recollection in my  
22    five years with the court here and then previously  
23    with juvenile court -- that the court has been the  
24    one pushing the idea of transfer.

1           It has happened, but in a general sense  
2           now the prosecution is the one that's responsible  
3           for filing a notice of -- making that decision.  
4           It's much better for the prosecution to make that  
5           decision to transfer than having the court  
6           (inaudible).

7           MR. SCROGGS: Tom (indicating)?

8           MR. COUPE': Yes?

9           MR. BUSH: Just to clarify --

10          MR. COUPE': Sure.

11          MR. BUSH: -- that it's the prosecution's  
12          decision to seek transfer.

13          MR. SCROGGS: Exactly.

14          UNIDENTIFIED WOMAN: Exactly, not --

15          MR. BUSH: It's the court's decision to  
16          make the transfer.

17          MR. SCROGGS: Exactly.

18          UNIDENTIFIED WOMAN: That was my  
19          confusion.

20          MR. COUPE': Okay. Well, there -- now,  
21          that's a better -- there's a -- there are two  
22          issues, I guess.

23          UNIDENTIFIED PERSON: Use the microphone.

24          MR. COUPE': Okay.

1 UNIDENTIFIED PERSON: Yes. Thank you.

2 MR. COUPE': I guess there are two  
3 issues -- it's got to warm up first. There are --  
4 now it's working. There are two issues, I guess.  
5 The question initially was the decision to initiate  
6 the transfer proceeding, and that is one that is  
7 done by the prosecution. The DA's office is the  
8 one who would choose to make that case a case for  
9 transfer.

10 Now, once that's done, a court hearing  
11 will take place in which the prosecution will  
12 present evidence why they believe a child should be  
13 transferred to adult court, and the defense will  
14 either argue -- and then will try to argue why that  
15 child should not be transferred to adult court.  
16 And after all the information is taken, then --  
17 yes, then the juvenile court judge hearing the case  
18 would weigh that evidence and then make the  
19 decision based upon a lot of factors, including  
20 whether the child is under any treatment, the  
21 nature of the crime, the background of the child  
22 and those sorts of things and make that decision on  
23 whether or not that child should be transferred.

24 So the court obviously -- the judge would

1 then make that decision to transfer, but the  
2 process is initiated by the DA's office.

3 MR. SMITH: I have a question here, a two  
4 part question. What measures are being taken to  
5 prevent children from entering custody, A? And  
6 secondly, do we have or do you have any location to  
7 take these children other than juvenile court --  
8 and actually three parts -- and how are those  
9 alternative sites selected or chosen?

10 MR. SCROGGS: That's a very good  
11 question. I'll try to answer at least part of  
12 that. There are measures in place and measures  
13 have been put in place over the last -- actually a  
14 four year period now to try to prevent children  
15 from coming with law enforcement to the court. In  
16 other words, have law enforcement basically have  
17 other options for children instead of transporting  
18 to juvenile court.

19 One of those -- and some of you are  
20 familiar with the SHAPE program, the School House  
21 Adjustment Program Enterprise, which was initiated  
22 in 2007 and '08 with Memphis City Schools to  
23 provide for adjustment at the school level for  
24 certain minor offenses that previously were causing

1 kids to be transported to the court by law  
2 enforcement.

3 Those minor offenses were things that did  
4 not involve personal injury to another child or  
5 somebody else at the school level, and in -- they  
6 began to work with about eight schools in the  
7 beginning. We ended up expanding that to 21  
8 Memphis City Schools. It became a very effective  
9 thing. In three years, it reduced the number of  
10 transports from schools by 52 percent, an  
11 incredible amount of reduction.

12 The second program that we work with law  
13 enforcement to -- to put together -- and MPD was  
14 very helpful in this -- was what we call the  
15 juvenile summons program. Again for seven minor  
16 offenses, we encourage law enforcement to please  
17 write a juvenile summons and don't transport the  
18 child to juvenile court. If you can do so within  
19 your discretion and you think that's appropriate,  
20 it's much better.

21 Law enforcement cooperated in that, and  
22 again, in a two to three year period, the reduction  
23 of transports was dramatic on those same minor  
24 offenses, those seven minor offenses that are part

1 of the juvenile summons program.

2 Part of the question had to do with what  
3 alternatives do we have in terms of other places to  
4 take children. That is one that's bothered us a  
5 lot in Shelby County. With almost a million  
6 people, we ought to have a safe house or a respite  
7 center for some kids that don't need to be in  
8 custody, don't need to be in a detention setting.  
9 At this point, we have access to some respite beds  
10 for kids that may otherwise have come into their  
11 hands in the sense of law enforcement due to  
12 emergencies, accidents, criminal activity, things  
13 of that nature that might have affected their  
14 families where they have no place to stay at home.

15 And so we're working with Porter-Leath at  
16 the present time just on a very limited basis to  
17 place children in those safe houses. Our  
18 compelling need in Shelby County is to have a  
19 facility of some type where we can have a safe  
20 place where children can be held, properly  
21 supervised and all of those things that -- where  
22 kids do not have a criminal issue.

23 Now, you'd be surprised. Law enforcement  
24 has a difficult time in those circumstances, and

1     it's really tough what we ask of law enforcement at  
2     times. They have to be very -- all things to all  
3     kids sometimes to try to determine what is the --  
4     what can we do with them. In days gone by, I think  
5     it stopped about two thousand -- the end of 2006.  
6     For many years juvenile court had what was called  
7     emergency shelter. That function was taken over by  
8     the Department of Children's Services, and that's  
9     the only recourse we really have now, is to -- for  
10    law enforcement is to really deal with DCS on those  
11    emergency situations.

12           Plenty of efforts are being done to try to  
13    figure out how we can reduce the number of kids  
14    brought. Tom mentioned just a moment ago how --  
15    how much of a reduction has actually taken place  
16    over a period of a few years. We're seeing, even  
17    this year, another significant reduction, so what  
18    is happening is law enforcement has bought in to  
19    the idea that not all kids need to be transported  
20    to juvenile court.

21           The other thing the court has done is  
22    adopt a new procedure that we have kids that are  
23    being processed -- if they're brought by law  
24    enforcement and we undertake to process the



1 children in the detention center, we don't do so in  
2 a secure area. If we can release the kids  
3 immediately or within say an hour or so to their  
4 parent, we do that without admitting them into  
5 detention. And that is again causing a -- you  
6 know, another significant reduction.

7           Some kids need to be admitted to  
8 detention. The children that we have on a daily  
9 basis now -- about 45 kids on a daily population  
10 basis in the detention center -- are the kids that  
11 have -- are charged with the most serious  
12 offenses. Friday, we had four children charged  
13 with homicides. One was second degree murder on  
14 top of the four. These are -- these are kids that  
15 basically need to be there in that setting.

16           But we don't want children there who don't  
17 need to be there, and that's been the focus that  
18 we've been really working hard on for the last four  
19 years.

20           MS. HUGHES: Okay. So what the consortium  
21 wants you all to understand is you do not have to  
22 utilize the cards. We really -- I'm coming to you  
23 next -- and we really want to hear from the  
24 public. So -- and we want to try to answer all the

1 questions that you all have, so please feel free.  
2 This is your time to participate. So I'm going  
3 back here now.

4 REVEREND GONZALEZ: Can I make a comment?

5 MS. HUGHES: I think she's been waiting.

6 REVEREND GONZALEZ: Well, what -- what we  
7 were just talking about --

8 MS. HUGHES: Okay. We're going to get the  
9 public first and then we'll come back here.

10 UNIDENTIFIED MAN: My question deals more  
11 so with the preventive model that -- on the adult  
12 side, for persons that commit particular offenses,  
13 they would have to go and complete a particular  
14 course of some sort. My interest and question kind  
15 of follows along those lines.

16 If a juvenile offender, let's say, have -  
17 has a charge with battery or assault or something  
18 like that, is it possible -- has the Tennessee  
19 law -- does it afford for that type of intervention  
20 for children? And does it support them being put  
21 into a type of program that they are -- that they  
22 have to complete it in lieu of incarceration like  
23 it is on the adult level?

24 MR. SCROGGS: I'm going to make a quick

1 statement on that. Yes. The answer is yes. We  
2 have an informal adjustment procedure under  
3 Tennessee Rules of Juvenile Procedure which permits  
4 adjustment without having to file a petition, as  
5 Tom mentioned earlier, and creating a record and  
6 all those things that really can be problematic  
7 down the line.

8 We have some programs that we have  
9 existing -- that locally exist. Jhukuruin  
10 mentioned JIFF. The JIFF program is a great  
11 example of a program that does attempt to train,  
12 rehabilitate and treat children. There's a program  
13 called MARS, Mediation and Restitution Service, I  
14 think, that has a similar way to approach kids and  
15 giving them some structured treatment or structured  
16 training.

17 Our -- we have the youth court program,  
18 which is at our court. We're so proud of it. It  
19 involves 11 high schools in the city and county,  
20 and that's a peer mediation and restitution program  
21 which adjusts minor offenses but doesn't -- does so  
22 in a way to end up with the defendant in those  
23 cases being mediated rather than incurring a  
24 permanent record. And we have about 150 high

1 school kids and about 40 lawyers who are involved  
2 in that program. We're in our third year, and  
3 we've become something of a model in the -- in the  
4 state.

5 I was going to mention one -- I saw  
6 Dr. Altha Stewart of Just Care Family Network. The  
7 concept there is to intervene early where problems  
8 are noticed within the community, in the  
9 neighborhood setting where people come in contact  
10 with kids and have issues. The idea is to try to  
11 get them resources, some type of providers and  
12 help.

13 Sometimes we at the court are able to  
14 refer to Just Care Family Network on just exactly  
15 the situation you're speaking of. We have an  
16 evaluation referral program which also works in  
17 that way, to try to refer kids for anger  
18 management, substance abuse and things of that  
19 nature. So yes, that's a very desirable objective  
20 and one we think that state law certainly does  
21 permit.

22 SENATOR DIXON: Thank you. First of all,  
23 let me commend you a little progress -- that I see  
24 strong diversity. I hope that will continue. I

1 have two or three quick questions. One is there  
2 was an article in the Commercial Appeal on May  
3 4th. Here's a young, white male from Germantown on  
4 vehicle -- and he was sentenced to -- I think it  
5 was four years -- no, six -- six years in prison.  
6 They are now pulling him out of jail after serving  
7 ten months and put an ankle bracelet on him.

8 The question I'm raising is everybody --  
9 Germantown, Collierville, Arlington, Lakeland --  
10 working under one system? I was told they were,  
11 but I saw in the paper where Germantown's night  
12 court, for example -- are they -- is there a  
13 separate justice system for affluent children that  
14 don't have to go down to juvenile court?

15 If I live in Germantown and my folks have  
16 got a lot of money, do I have to go through  
17 juvenile court? Is every child going through this  
18 is the question I'm asking.

19 The second question that I'm asking is are  
20 we contracting with African Americans? The young  
21 man that spoke this morning, did you see a black  
22 judge? Did you see a black psychiatrist? Did you  
23 see -- the point is sometimes you feel a little  
24 better. There has been a tendency -- we're

1 beginning to make progress to have this community  
2 reflected in contracting, and that's a concern of  
3 mine.

4 The other question is -- I don't know if  
5 you saw the report about marijuana. I hope young  
6 children are not smoking marijuana because they say  
7 black folks are the only ones going to jail, but I  
8 wanted to address that too. I hope that report is  
9 not right.

10 MS. HUGHES: Okay.

11 MR. SCROGGS: I want to try to briefly  
12 address Senator Dixon's issue there on the  
13 jurisdiction within the municipalities. Four of  
14 our Shelby County outlying municipalities have city  
15 courts: Bartlett, Collierville, Germantown and  
16 Millington. Each of those has juvenile traffic  
17 jurisdiction. In other words, traffic offenses  
18 committed by drivers under the age of 18. That's  
19 the only jurisdiction that they have.

20 They have no jurisdiction over delinquency  
21 offenses. The juvenile court of Memphis and Shelby  
22 County is the only place where -- that has  
23 jurisdiction over delinquency matters or dependency  
24 and neglect matters.

1           What I don't -- I don't know the specifics  
2 of Senator Dixon's question about that. I think  
3 that it could be -- I don't know whether that  
4 involved a traffic issue or what kind of issue it  
5 was, Roscoe.

6           SENATOR DIXON: A vehicle, a stolen car.

7           MR. SCROGGS: A vehicle stolen. That  
8 would have been a delinquency offense. It sounds  
9 as if it might have been a transferred case to the  
10 adult system possibly. Let's see.

11          MR. COUPE': He was 19.

12          MR. SCROGGS: Okay. I do remember this  
13 article. This was a six year prison sentence,  
14 which means it had to be a transferred case in the  
15 adult system, so whatever happened here in this  
16 case involves treatment in the adult system.

17          The marijuana -- marijuana, by the way, is  
18 one of those -- simple possession is one of those  
19 minor offenses that we encourage the use of  
20 juvenile summons on, on that simple possession  
21 so --

22          SENATOR DIXON: The last thing is  
23 contracting, contracting with African Americans --

24          MR. SCROGGS: Yeah.

1           SENATOR DIXON:  -- about some of the  
2   services.

3           MR. SCROGGS:  There is sometimes a little  
4   bit of a misconception about how much money there  
5   is available for contracts.  The court -- the  
6   court's budget, which is county funding  
7   primarily -- there's a little bit of grant money  
8   from the State of Tennessee.  I say a little bit --  
9   about 1.5 to 1.7 million from the state.

10           But the rest of the court's about 15  
11   million dollar budget is county funded.  Within  
12   that, as in most government, something like 80  
13   percent -- 75 to 80 percent is personnel.  In terms  
14   of the overall numbers.  So what we have is the  
15   remaining part of our budget is operating and  
16   maintenance, O and M.

17           Everything else that we have to do within  
18   our operation comes from that portion of the  
19   budget, so if we have to enter into a contract for  
20   a medical provider, we contract through that O and  
21   M line.  We do have a -- one -- there's one example  
22   of a contract with an African American pediatrician  
23   that's been in practice for many years.  He's had  
24   the contract with the court for about 20 years.



1           We have limited -- very limited other  
2       types of contracts. In fact, we don't have money  
3       to pay even like Jhukuruin's JIFF program. We  
4       don't pay them anything for the kids that we refer  
5       to them. That's -- those are private donations  
6       primarily that fund those programs. So our -- our  
7       numbers are -- the numbers are really low.

8           Now, we were -- visited Chicago recently,  
9       and I know it has multimillions of dollars that  
10      they devote where the court itself actually is  
11      contracting for services. In Shelby County, we  
12      don't have that.

13           MS. HUGHES: We do have some written  
14      questions, so we're going to go to those, and then  
15      I'm coming back there. And also, we do have a  
16      court reporter, so if you feel comfortable -- it's  
17      not a requirement, but if you feel comfortable  
18      identifying yourself before you give your question,  
19      we'd ask that you do that. Dr. Thomas?

20           DR. THOMAS: Good morning. I'm doctor --  
21      good afternoon rather. I'm Dorothy J. Thomas, and  
22      we have several questions from the -- from the  
23      audience. The first question is: How did you  
24      choose the people sitting on the consortium and the

1 DMC?

2 Before I field this question to Attorney  
3 Willis, I will answer part of it, and then I will  
4 field it to him. The first part of it is there was  
5 a combination of members from the juvenile justice  
6 board that were already in place and then there was  
7 a selection of members or appointees from the  
8 mayor, who were confirmed by the commissioners.  
9 That group was a specific group that had to be --  
10 two parents had to be represented, two young  
11 people, one of which you've met today, that had a  
12 history with juvenile court and then, of course,  
13 the others were community -- with specific or a  
14 varied array of experiences.

15 I would field that second part to Attorney  
16 Willis.

17 MR. WILLIS: Thank you so much,  
18 Dr. Thomas. Actually you've done a very good job  
19 of responding to it. Can you hear me or do I need  
20 to have a mike?

21 VARIOUS UNIDENTIFIED PERSONS: Mike.

22 MR. WILLIS: I'm just trying to keep from  
23 having to move around. Thank you. Dr. Thomas,  
24 you've responded to that very, very well. In

1     this -- those notebooks there -- and this is a  
2     public document.  It's available.  The members of  
3     the consortium -- there are nine -- or eight,  
4     actually, and Dr. Freda Williams will make nine --  
5     are the mayor's nominees to this consortium.

6             The eight of them were approved by the  
7     county commission on February 25, 2013.  There's a  
8     resolution that approves the mayor's nominations.  
9     As stated the resolution sets forth what the  
10    criteria are for these representatives and that --  
11    it -- the resolution says they are to be reflective  
12    of the cultural and ethnic diversity of the county,  
13    to include no less than two parents of children who  
14    have had delinquency matters before the juvenile  
15    court, a person under the age of 21 who has direct  
16    contact with juvenile court and community  
17    advocates.

18            These names were listed in a resolution  
19    they came before the commission.  The commission  
20    approved that, and those are the -- that's how nine  
21    of the members of the consortium were done.  The  
22    others are part of the juvenile court justice  
23    board, and this is pursuant to the memorandum of  
24    agreement with the Department of Justice.

1 DR. THOMAS: Thank you. Part 2 of the  
2 question was -- and the -- the DMC.

3 MR. SCROGGS: The coordinator?

4 DR. THOMAS: Yes.

5 MR. SCROGGS: The DMC coordinator?

6 DR. THOMAS: Coordinator, yes.

7 MR. WILLIS: The DMC coordinator position  
8 is required by the memorandum of agreement and  
9 Mayor Luttrell appointed Lisa Hill for that  
10 position, and he did so immediately, sooner than  
11 was required by the memorandum of agreement. And  
12 so that's how that position was filled.

13 DR. THOMAS: Okay. Attorney Willis, you  
14 can still remain standing for this one. I'm trying  
15 to get through it. "Can community members attend  
16 and/or join the consortium," if I'm reading that  
17 correctly?

18 MR. WILLIS: Let me just say that the  
19 reason that you are here right now is because we  
20 want you to participate, and I'm not feeling a  
21 participation. We don't want anybody to leave out  
22 of here saying that you did not have an opportunity  
23 to speak, to ask a question or to participate.  
24 This is your time.

1           This is one reason why we try to adhere to  
2           our time table, and we don't want you to leave here  
3           today without asking a question or participating.  
4           And we have these meetings -- this is the first  
5           one. The memorandum of agreement requires that  
6           there be at least two every year, but I'm confident  
7           that there will be more than that. But this part  
8           of the meeting is for you.

9           We have these cards that are available,  
10          but we are -- the cards are not so that you can't  
11          come to the mike. We want you to use this mike.  
12          If you don't feel comfortable using a mike, then we  
13          have the cards.

14          MR. SMITH: There was also a second part,  
15          Mr. Willis, about joining. Can you speak to that?

16          MR. WILLIS: The members of the consortium  
17          are set forth in the memorandum of agreement, so  
18          that's designated. The mayor's appointees have two  
19          year terms. When those terms have been fulfilled,  
20          there will be a notice, as there was before, posted  
21          on the county web site. And if you are interested,  
22          since the nominees are nominees of the mayor,  
23          please make your interest known to the mayor.

24          And those -- the mayor's nominees will

1     come before the commission, just as these nine  
2     nominees did.

3             MR. COUPE': I have one quick thing to  
4     add. There's one thing that I -- that I should  
5     have brought up a little while earlier. And this  
6     is part of the -- with the consortium we've  
7     discussed already, is that this meeting is required  
8     by the DOJ. Now, we want to have more meetings  
9     that aren't required.

10            We want to get into specific parts of the  
11     community and get into individual -- individual  
12     neighborhoods and figure out what's going on and  
13     hear more from you and be more community minded.  
14     So this is -- when you speak, if you wouldn't mind  
15     saying where you think the next meeting should be  
16     held -- I think right now we're talking to  
17     Jhukuruin and Frayser is one area that we want to  
18     have a more designated, a more targeted meeting.  
19     So obviously if Frayser is the idea, we've already  
20     got that one.

21            Anywhere else -- and if you have any  
22     recommendation that -- there is the contact  
23     information for all of us. So if you have any idea  
24     where you think is a good location for the next

1 meeting to be, where a -- what part of the city,  
2 any community leaders in your area that would be  
3 good to contact to get more information out, I'd  
4 love that also. So keep that in mind, but that's  
5 one of the things.

6 This meeting here is required with -- but  
7 this is kind of the kickoff, I think, to a bigger  
8 idea of having more community meetings.

9 UNIDENTIFIED WOMAN: Excuse me. Marjorie  
10 (inaudible). One of the questions I have in terms  
11 of demographics -- in terms of the rate of  
12 juveniles in this community -- in a particular  
13 community and that way we can know what a target  
14 area should be.

15 MR. COUPE': Sorry. We're getting  
16 sidetracked, but actually Dr. Thomas and I were  
17 having a discussion about targeting -- one of the  
18 ways that we really can focus on this is looking at  
19 where the most children come from in our detention  
20 center. And actually, at -- I was at a meeting  
21 last week with Tracy -- Tracy Wolfe, who is our  
22 JDAI coordinator. They had a detention listing of  
23 children based upon their Zip codes.

24 And, number one, most -- most children

1     detained last month were from the Frayser area.  
2     And then right behind that, the second ZIP code, I  
3     believe, was either -- was Hickory Hill. Is that  
4     right, Tracy?

5                     (No response.)

6             MR. COUPE': And so that's going to also  
7     give us a better idea of where to target -- this  
8     information, where the kids are. So Frayser --  
9     again, we've already thought about that one. We  
10    kind of think that's a good place to start, but  
11    we're going to look around and have these target  
12    meetings to kind of -- where it really hits home.

13            UNIDENTIFIED WOMAN: Thank you.

14            MR. COUPE': Thank you very much. Sorry  
15    for getting sidetracked.

16            DR. THOMAS: Now, this question -- and  
17    please -- if it's your question and I'm not reading  
18    it correctly, please let me know. This one says,  
19    "Is there any plan to change staff in juvenile  
20    court? It might be what is needed to change  
21    community opinions of juvenile court and instill  
22    trust in the system."

23            MR. COUPE': I'll take it.

24            DR. THOMAS: Okay. Who is going to take



1       that?   Who is here?

2               MS. HUGHES:   Larry is gone.

3               MR. COUPE':   I'm not a policy maker at the  
4       court.   I do work there.   But I will say this.  
5       This is one thing I think that's really important  
6       to understand.   One of the -- my favorite books  
7       that I've read is a book by Malcolm Gladwell, and  
8       he talks about becoming proficient in a subject.  
9       And he notes that he looks at a different -- a  
10      difference -- looks at athletes and scientists and  
11      researchers and all people from all walks of life.

12              And he finds that it take about 10,000  
13      hours of doing something to become really, really  
14      good at it.   So the idea that certain people can be  
15      replaced and someone else can be brought in to do  
16      something that this -- in this area which requires  
17      so much expertise, it's -- it's just not that easy.

18              And I'm not going to make any policy  
19      statements about who should come and who should go,  
20      but what I do know is that this work is tough  
21      work.   I've been practicing juvenile law for ten  
22      years now.   I'm certified as a child welfare law  
23      expert in Shelby County and in the State of  
24      Tennessee, also nationally certified.   But it took

1 me a long, long time to get up to speed in juvenile  
2 law and understand what's really going on.

3 And Professor (inaudible) from the  
4 University of Memphis School of Law is here also.  
5 And I think she can attest that juvenile law is not  
6 something you can kind of walk into and -- and kind  
7 of go off-the-cuff. This is -- this is very  
8 serious law. This is very, very serious and  
9 dealing with the lives of children that will one  
10 day be the adults of our community, the tax base of  
11 our community, the future of our community.

12 And we want to make sure that the people  
13 in charge -- that people who are doing things have  
14 a good understanding of all the processes that go  
15 on, of all the services that are there, of all the  
16 past things that they've done, they've understood  
17 all the mistakes they've made in the past that they  
18 can make better this time. And it's a really,  
19 really important thing.

20 So that's kind of where I stand in terms  
21 of what that -- that part is.

22 MS. WHITE: Good afternoon. My name is  
23 Donna (phonetically) White. It's really tight in  
24 here today; okay? And that more than anything

1 troubles me, but I think that, you know, since this  
2 is a beginning process, maybe it's -- that's just,  
3 you know, the nature of any beginning process. But  
4 what I want to say is this -- is I've come to -- to  
5 the meetings since this issue has been brought to  
6 light through the Department of Justice and -- and  
7 Ms. Henri Brooks.

8 And there's a lot of -- and I know it's  
9 necessary, but there's been a lot of legal talking,  
10 you know, and -- and the legal papers and what the  
11 requirements are and that type of thing. But as a  
12 community member -- and I have said this before and  
13 I will continue to say it in every meeting I come  
14 to. As a community member what I am looking for  
15 and hoping for is some real plain talking and some  
16 real plain accountability to the community about  
17 what is happening with our children in the  
18 community.

19 Mr. Smith, you said that the primary role  
20 is to -- of the consortium is to solicit input, and  
21 I think you said to receive and solicit input from  
22 the community. I would -- I sincerely hope and  
23 pray that an added part of that is to provide to  
24 the community about what is happening in plain

1 speak.

2 With all due respect to Mr. Coupe', he is  
3 a -- you know, he's a lawyer, very knowledgeable.  
4 I'm college educated, but I'm having to listen with  
5 all four ears, you know, to just really -- you know  
6 what I'm saying -- grasp all of this stuff. And I  
7 really want you guys to give us something.

8 I know it's hard. It's legal, so I know  
9 it's hard. We need something as a community we can  
10 take back and chew on, that we can take back and  
11 share with moms, single parent moms that we work  
12 with and -- and dads about what's going on and what  
13 the progress is that is taking place.

14 Now, that's my comment. This is my  
15 question. Is it possible -- the PowerPoint facts  
16 that Mr. Coupe' used during today, can we get some  
17 of that information? You gave some good data on  
18 that, you know, that --

19 MR. COUPE': Yes.

20 MS. WHITE: -- that talked about progress  
21 and it talked about kids who had come through the  
22 system. These other programs that the juvenile  
23 court is working with, Mr. Scroggs talked about the  
24 SHAPE program and MARS and all these other

1 programs -- community programs that are going on  
2 for kids. There needs to be some feedback to the  
3 community as to the effectiveness of the programs,  
4 how many kids are being referred to the programs.

5 And he also said that there's very little  
6 access to beds outside of juvenile court. Well,  
7 how is that being addressed, you know, other than  
8 the juvenile court building another building kind  
9 of thing, you know, or sending people just to  
10 Porter-Leath? There are agencies out here in the  
11 community who are willing to work with our  
12 children, but there needs to be that interface with  
13 them and an openness, Consortium Members, to really  
14 knowing what's available and -- and knowing the  
15 progress.

16 Please give us some plain language  
17 talk about how many kids are coming into the system  
18 or coming into contact with the court and do it on  
19 a regular basis. I mean, once every three months;  
20 okay? We understand it's a long-term process to  
21 change some stuff, but keep us updated and let us  
22 know that you're not afraid to share the ugly stuff  
23 and the hard stuff. But you're also going to  
24 show -- you know, we just want to know that

1 progress is being made.

2 MR. SMITH: Very good. Ma'am, thank you  
3 so very, very much for your questions and your  
4 commentary. I would like to respond briefly and  
5 succinctly to just a couple of them. First and  
6 foremost, I, coupled with the majority of my  
7 colleagues here, were recently appointed by Mayor  
8 Mark Luttrell in February.

9 Subsequent to that, we went before the  
10 county commission, in which at least one of those  
11 members of the commission are -- is in our presence  
12 this afternoon. We were provided this manual. I  
13 mean, this makes for some very, very good reading.  
14 You understand? There's a whole -- there's just a  
15 lot of work to be done here and no smoke screen.

16 And just to let you know a little bit  
17 about my background, I've been involved with youth  
18 related issues and the criminal justice system for  
19 the past 20 years nationally. So the only dog I  
20 have in the fight is the interest of our children.  
21 And I think also -- to piggyback onto that comment,  
22 can attest to the character and the interest of the  
23 consortium.

24 My final piece, I would like -- because we

1     need your kind of enthusiasm absolutely.   90  
2     percent of the work is often done by 10 percent of  
3     the people.   Having said that, I'd like to get your  
4     name and your number and -- and we're going to be  
5     establishing some very special committees.   And  
6     it's not going to be fluff behind these committees,  
7     but we're going to do substantive work surrounding  
8     several of the comments you made.

9             My final piece is some of the questions  
10     that you asked relative to demographics and  
11     statistics, I'm still learning that myself so I  
12     can't speak to that.   Perhaps Mr. Scroggs,  
13     Mr. Willis or Mr. Coupe' could speak more  
14     comprehensively to that.

15            MS. SPENCER-MCGEE:   Good afternoon.   I'm  
16     Karen Spencer-McGee.   I represent a group of people  
17     in south Memphis, and now I am also privileged to  
18     be with the Hispanic community over in the Nutbush  
19     area.   Where my children keep me Facebook and  
20     Twitter savvy, most of my constituents cannot use  
21     computers.   So when you're talking about how do you  
22     reach these people, can we please come up with a  
23     plan?   Because when I take that 68 page document  
24     and make them understand that this is 68 pages of

1 criminal activity over the last 40 years -- okay --  
2 where I understand the language, they don't, you  
3 know. And that's another part of the "isms,"  
4 classism and all that.

5 I bless God that our Commissioner Brooks  
6 had the oversight and the insight to say, "Let's do  
7 something about this."

8 (Applause.)

9 MS. SPENCER-MCGEE: I've been home eight  
10 years, and if she's not a fighter, a girl  
11 fighter -- you know, a fight with a girl is a good  
12 fight, you know. So I just bless God because if  
13 it's happening in Shelby County, come on, y'all,  
14 what's happening in Fayette and Madison and  
15 Hardeman County, in those rural counties where we  
16 don't have a bunch of people that will get up and  
17 say, "Wait a minute, no, no."

18 And, Commissioner Brooks, I don't say the  
19 other word but it's (inaudible). But there's just  
20 some things that are going on that the Father is  
21 not pleased with, y'all. You know, if you've got  
22 the Department of Justice in your business, you'd  
23 better get it right.

24 My name is Karen Spencer-McGee. I fight



1     like a girl too, and I have seven daughters and one  
2     son. And I've got seven grandbabies, and I decree  
3     in the name of Jesus that this is going to be  
4     fixed. And they won't be a part of that ugly  
5     system that happened when I wasn't here.

6             Thank you. So how do we get these people  
7     to the table that this is most affecting, because  
8     the ones with the ABC's and EFG's behind their  
9     names, they're not the ones that are out there.

10             (Whereupon, numerous people made  
11             overlapping comments that could not  
12             be taken down.)

13             DR. THOMAS: Let me just address that. I  
14     am just extremely moved. And I believe as a member  
15     of the consortium, I have maybe just a teeny-weeny  
16     bit of a right to -- to say a word. I am just so  
17     moved and impressed by the statement that you made,  
18     and sometimes, of course, I agree with everything  
19     you said and the other young woman who talked about  
20     communication.

21             One on the reasons that we are here is  
22     because of the lack of transparency and the lack of  
23     communication. And this consortium is -- we're not  
24     about trying to -- I'll just use the word. We're

1 just not trying to dazzle with brilliance, and I'll  
2 leave the rest of that alone as well, but we are  
3 trying to make sure that you are aware of what is  
4 going on because we know you do. And you're  
5 right. The DOJ is all in the business.

6 And when -- and someone asked the question  
7 about change. Well, you know when you've got -- as  
8 my kids used to say, when you've got papa bear  
9 looking over you, see, some things are going to  
10 change because it must change. In terms of making  
11 sure that people know what you're talking about:  
12 Number one, Houston, we've got a problem. Number  
13 two, Houston, we need to tighten up -- tighten up  
14 our own game. Number three, Houston, we understand  
15 that we have some problems in our community with  
16 our children.

17 We know that. We feel that, and we  
18 know -- and we communicate. Houston, we're going  
19 to take care of our community because we're going  
20 to keep you informed of how to take care of your  
21 community.

22 PASTOR WILLIAMS: Amen.

23 DR. THOMAS: We're going to keep the  
24 community --

1 PASTOR WILLIAMS: Amen.

2 (Applause.)

3 DR. THOMAS: -- (inaudible) from out of  
4 the things that we need to know to do. Nobody can  
5 do it better than we can do it. The Henri Brookses  
6 of the world are very far and few.

7 (Applause.)

8 DR. THOMAS: So we have to support those  
9 who support what we do, and we need to do that. No  
10 blame, no shame, no blame. Step up. Take care.  
11 Ask the questions. And then who's accountable?  
12 Hold those accountable. Hold me accountable. If I  
13 don't say it in a way you want me to say it, then  
14 you tell me how to say it so you can understand  
15 it. I have no problem with that.

16 We are here for you. We are here to share  
17 with juvenile court -- that system -- what you say  
18 and to make sure that what they say and give us, we  
19 give back to you. That's it, and that's all.

20 (Applause.)

21 PASTOR WILLIAMS: All right. Well said.  
22 Well said.

23 MS. BROOKS: Are you done?

24 DR. THOMAS: Yes, ma'am.

1 MS. BROOKS: Thank you very much, and  
2 thank you all for presenting this -- holding --  
3 hosting this public meeting. It is very much  
4 appreciated. I have -- first of all, I'd like to  
5 follow up on two of the questions. The first one  
6 is relative to safe houses and intervention, and I  
7 did hear the very lengthy answer that Attorney  
8 Scroggs gave.

9 I'd like to add to that I am intimately  
10 aware that here in our city there are some  
11 organizations. And I will call the names. The  
12 Tennessee Learning Center, better known as Damascus  
13 Road, located over on Joy Lane --

14 (Applause.)

15 MS. BROOKS: -- has been trying  
16 desperately to partner, to enter into a  
17 conversation with juvenile court about a  
18 pre-adjudication safe house, if you will,  
19 pre-adjudication beds for children. They have  
20 plenty of space over there. They have been  
21 unsuccessful in getting a conversation, getting the  
22 door open to have that conversation with juvenile  
23 court.

24 And I hope after this, since now the

1 juvenile court consortium and this consortium,  
2 which can be an advocate, is aware -- and not only  
3 do we have the Tennessee Learning Center, we also  
4 have -- the name is escaping me. Damascus Road and  
5 there is also one on Austin Peay -- Austin Peay?

6 (Whereupon, numerous people made  
7 overlapping comments that could not  
8 be taken down.)

9 MS. BROOKS: Youth Dimensions. So there  
10 is no -- there is no drought, if you will, of safe  
11 houses or intervention programs, and these are  
12 culturally cognitive programs.

13 Now, the next question I'd like to follow  
14 up on has to do with the question that dealt with  
15 participation and these consortium meetings and  
16 will they all -- will they be open to the public.  
17 Now I know this one was referenced in the  
18 memorandum of agreement, but the question was --  
19 the way I understood it, what I heard was: Will  
20 all of the consortium meetings be open to the  
21 public? That's what I heard.

22 Can we get that answered, Mr. Willis?  
23 Will all of the consortium meetings be open to the  
24 public?

1 MS. HUGHES: I'll be back. Ill be back.

2 MR. WILLIS: Consortium Members, I don't  
3 think you have a problem with anybody from the  
4 public attending any time they want to?

5 DR. THOMAS: No, sir. Never.

6 MR. SMITH: They'll be posted.

7 DR. THOMAS: When we have meetings, it  
8 will be -- it will be posted on the web site.

9 UNIDENTIFIED WOMAN: The court web site  
10 or --

11 DR. THOMAS: Shelby County web site, yes,  
12 just like --

13 (Whereupon, numerous people made  
14 overlapping comments that could not  
15 be taken down.)

16 DR. THOMAS: Juvenile court --

17 MR. WILLIS: There is a web site for --

18 DR. THOMAS: The juvenile court  
19 consortium -- juvenile justice. I'm sorry. We  
20 have a web site.

21 MR. SMITH: Let me speak a little bit more  
22 to that. We have just formed several of these.  
23 Like, for example, it's only a few weeks ago that  
24 the consortium members names were posted to the --

1 to the web site. And then it's been two weeks that  
2 this meeting and some background data regarding the  
3 memorandum of agreement was also posted.

4 So give us a little bit of time. We're  
5 going to do precisely that. Give us approximately  
6 three weeks to a month -- and you can quote me on  
7 this -- and we will have all of our meetings posted  
8 on the county -- on the Shelby County web site.  
9 And thank you very much.

10 MS. BROOKS: And that's -- that's really  
11 good to post those on the county web site, but I  
12 think what we -- we need to try to do -- and let me  
13 just offer as a suggestion -- think of some  
14 creative ways to make the public noticed, if you  
15 will, or notice the public about your meetings.  
16 That's important. Because if you post it on the  
17 web site, a number of people may miss it.

18 So just -- let's think of some creative  
19 ways we can get that out. And commissioners  
20 represent constituents, and we all have districts.  
21 There are 13 of us, and I'm sure if you sent us the  
22 notice, we'd be happy to get that out.

23 Now, lastly --

24 MR. SMITH: Is that what you're

1 recommending, Commissioner?

2 MS. BROOKS: In addition to some other  
3 ways. I'm just offering that. Let me just say  
4 that I cannot -- I cannot commit the other 12. I  
5 can commit myself.

6 DR. THOMAS: Okay.

7 MS. BROOKS: Okay.

8 LT. COL. WILLIAMS: I have -- I can answer  
9 that specifically. I have one example of an -- of  
10 a way to get information out that has already been  
11 done and it will continue to be done. There are  
12 nine precincts, police precincts, that each have a  
13 neighborhood watch coordinator. And the  
14 neighborhood watch coordinator in each precinct  
15 networks with multiple neighborhood watch groups  
16 all over the city and the county.

17 And that will be going out to them through  
18 that network as well. They have regular meetings  
19 at the precincts every month. So that's just one  
20 way of getting information out other than the web  
21 site.

22 MS. BROOKS: Okay. And that's great, and  
23 I think we should utilize multiple ways so that we  
24 can maximize the notice to the community. This --



1     this room should be absolutely packed. Let me just  
2     say to you the reason why is that we do have now  
3     the due process monitor's report here. It came in  
4     July 6th, the due process monitor, the one --  
5     the -- the Department of Justice paid monitor.

6             This person is paid to monitor the  
7     compliance. This is the information we need, what  
8     the -- the due process -- the people paid by the  
9     justice department has to say about how juvenile  
10    court isn't complying with the memorandum of  
11    agreement. We need to hear from the folks paid by  
12    the DOJ, the people not under the control of the  
13    juvenile court, not dependent or influenced by any  
14    higher-ups in juvenile court.

15            So let me just say this. Let me just say  
16    this, and I'll be done. The due process monitor's  
17    report is out, and I think they have a copy up  
18    there. You need to read that. The equal  
19    protection monitor's report is not published yet.  
20    It has not been published, and I can't understand  
21    why.

22            And with all due respect, let me just ask  
23    why did we not wait to hold this meeting when we  
24    received and had the opportunity to let the public

1 know that we have the due process monitor's report  
2 in, we have the equal protection monitor's report  
3 in and this is the information we're going to  
4 explain to you, because this is what the public  
5 needs to know, what they said?

6 MR. COUPE': The reason --

7 MS. BROOKS: Now, I've read -- I'll give  
8 it to you when I'm done. Excuse me. I've read  
9 that report and -- and -- and again, I was very,  
10 very concerned about the due process monitor's  
11 comments regarding transfer hearings. I had my  
12 concerns prior to the report, Mr. Bush, but after  
13 reading that report, I am very concerned about that  
14 now.

15 So I'm just saying that this is good to  
16 have this meeting, but we need some substantive  
17 information about how you're complying, if you're  
18 doing the job you're supposed to be doing. Thank  
19 you very much.

20 DR. THOMAS: Are you going to take  
21 another --

22 MS. HUGHES: Yes. He's been waiting. I  
23 overlooked him. I'm going to go here (indicating)  
24 and then to the woman in the aisle in the blue and

1 then over to the back, then over to the side of the  
2 room if you all will allow me.

3 PASTOR HARRIS: Pastor Fred Harris. And I  
4 appreciate those of you -- the members of the  
5 consortium.

6 MR. WILLIS: Just one second. I'm sorry.  
7 Just one -- just one second just so we can be  
8 looking, the due process monitor's process report  
9 is in here. Anybody that wants these things -- and  
10 the ones that were here might have already been  
11 passed out. Did anybody still need a copy of the  
12 due process monitor's report? It's right here.  
13 All the documents we've talked about are right  
14 here, right in this notebook; okay?

15 While you're asking questions, look  
16 through these. That's why they are here, for you  
17 to look at; okay? All right. And then we have --  
18 earlier on, we passed out the due process monitor's  
19 report; okay? Does anybody need a copy? Here they  
20 are if you need to look at them. Okay. Come on  
21 and get it. Thank you.

22 PASTOR HARRIS: Can I say this to you?  
23 Will y'all have condensed forms of that that --  
24 just dealing with the issues, because a lot of it,

1 we ain't going to really need to know. We can read  
2 maybe there or -- or otherwise, would y'all have  
3 condensed forms, the deal with the -- yeah, the  
4 major issues?

5 DR. THOMAS: I think you're talking about  
6 bullet points, if I'm understanding you correctly,  
7 of some of the major things. We do have a document  
8 that is in bullet point format. Mr. Coupe', if I  
9 might, there's something like that that can be --  
10 you know, be assisted with -- to provide -- you  
11 know, just kind of concrete but less overwhelming,  
12 just kind of a -- just bullet points in a nut  
13 shell, real simple language, can we do that?

14 MR. COUPE': Yeah. The -- the monitor's  
15 report -- as Commissioner Brooks referenced, the  
16 due process monitor's report has been released.  
17 And in her report, she does summarize in the back  
18 about a five page report. That's available.

19 That's available right now on the juvenile  
20 court web site. It's available on the county web  
21 site. You can access it with the juvenile court  
22 Facebook page, and juvenile court will actually  
23 have some on hand at the court itself. So if  
24 you're ever -- if you ever are in the area, you can

1     come to the ambassador's station on the first  
2     floor, and they'll have copies of that report.

3             The equal protection report is not out  
4     yet. It will be out, but the DOJ memorandum of  
5     agreement, I'm sure as we all know, had required us  
6     to have this hearing by June 17th, and we had to  
7     schedule it ahead of time to make sure we had room  
8     and space. So we had to have this hearing by the  
9     17th, so if we didn't have it by the 17th, we would  
10    have been out of compliance.

11            We waited as long as we could to get some  
12    sort of indication from both the due process  
13    monitor and equal protection monitor that their  
14    reports would be released. We weren't -- we did  
15    not get any indication when they would be released,  
16    so we had to have this hearing. That's why it was  
17    held prior to the monitor's report being done,  
18    because we had to do it and we couldn't wait around  
19    for them; all right?

20            PASTOR HARRIS: Fantastic. Could you post  
21    your e-mail address for us?

22            MR. COUPE': Yes, sir. It's up there.  
23    They'll --

24            PASTOR HARRIS: That's it?

1 MR. COUPE': Can you go --

2 PASTOR HARRIS: All right.

3 DR. THOMAS: Before we move to the -- do  
4 you have your next question, sir?

5 PASTOR HARRIS: Yes, I have another --

6 MR. COUPE': Yes, sir. Go ahead, please.

7 PASTOR HARRIS: Well, I'm making sure.  
8 What I'm interested in is we -- as citizens in the  
9 community, we need to be informed by those of you  
10 that -- that have information and like those --  
11 like the -- what Commissioner Brooks said, we need  
12 to be informed on maybe -- maybe a three month  
13 basis or at least something in that area, because  
14 we have some issues in this community.

15 Being a pastor and with the juvenile  
16 system and also working 15 years in one of our  
17 facilities here and someone got this wrong. I feel  
18 like they -- they didn't have no programs to deal  
19 with the children that wasn't hard criminals. They  
20 just put them in there just like a whole batch of  
21 potatoes or something and they stayed there until  
22 they spoiled.

23 In other words, what I'm saying is until  
24 the hard kids corrupt them, and I feel like they

1     never should have been in there in that  
2     environment. And we always talk about somebody's  
3     associate or employee and we need other facilities,  
4     and I was trying to see what we've been doing as  
5     far as a city of this capacity and size. I think  
6     we need to do more.

7             And as far as dealing with those that  
8     is -- have all the positions, that's fine, but I  
9     feel like we need secondary individuals working  
10    with you all on the basics. You all have to stay  
11    within the ramifications of the law, but what we  
12    do -- we're in the real nitty-gritty with these  
13    individuals, with these criminals. They come by  
14    our churches.

15            PASTOR WILLIAMS: All right.

16            PASTOR HARRIS: I had some come by the  
17    churches, and we have affected them positively.  
18    And some of them, we didn't have the programs.  
19    They just had -- they just left us. But I said it  
20    doesn't take that much, but it takes a lot of  
21    concern and love from all of the constituents of  
22    this community in Memphis. And no one is exempted,  
23    and no one's job in the community is small or  
24    large.

1           We've got -- we've got to get rid of that  
2           mentality because that's holding us up from  
3           progressing for our children because our children  
4           is the future -- not going to be, is. And God  
5           wants us to do more.

6           PASTOR WILLIAMS: Amen. Amen.

7                       (Whereupon, numerous people made  
8                       overlapping comments that could not  
9                       be taken down.)

10                      (Applause.)

11           PASTOR WILLIAMS: (Inaudible) to respond  
12           about the children other than the bickering and I'm  
13           in agreement.

14           DR. THOMAS: Amen. Before we move,  
15           Reverend Gonzalez has had a comment that we were  
16           trying to get her up for -- to do that a long time  
17           ago so we would be remiss if we did not.

18           REVEREND GONZALEZ: The first thing I want  
19           to say is this is a privilege to be here, but I  
20           also want you to know that we need your help.  
21           Everybody is saying we have to do everything. We  
22           need the community. It takes a -- it takes a  
23           village to raise a child.

24           And one of the most important things is



1     that we are doing something. There is another team  
2     out there called the Juvenile Detention  
3     Alternatives Initiative group. We are meeting all  
4     the time. We're trying to find alternative places  
5     for children to be taken so they do not cross the  
6     doors of juvenile court.

7             One of these things -- and we have put out  
8     a call through actually the police department and  
9     others for churches to get involved. How many  
10    churches -- I was in a group of 1200 pastors. I  
11    was actually the only white woman among 1200  
12    pastors. We put out a call, "What churches can be  
13    used or may be interested in becoming a place where  
14    children could go at night or some sort of, you  
15    know, night center where, when a child is in  
16    trouble, they can go there and things can be  
17    resolved?"

18            This is in the works. We are working on  
19    this now. Everything seems to be slow and take a  
20    long time, but we are working on this so that --  
21    that, if at all possible, children will never have  
22    to go to juvenile court. That's the dream. Thank  
23    you.

24            MR. WILLIS: Before anybody walks out,

1 make sure, please, that you've signed this sign-in  
2 sheet. One of you was talking about being informed  
3 about upcoming meetings. We want to be able to  
4 communicate with you. So if you didn't -- when you  
5 come in if you didn't sign the sheet, please do.

6 MS. HUGHES: So you don't think I've  
7 forgotten you, I'm going to do her and then you and  
8 then I'm coming over there. So this is my first  
9 time being a sergeant at arms. I'm doing the best  
10 I can.

11 Bear with me. I think that your voice is  
12 very important. I will come to you.

13 MS. TYLER: You're doing a good job.

14 MS. HUGHES: Thank you. And I forgot  
15 you. See, I still forgot somebody.

16 MS. TYLER: It's all good. Hi, my name is  
17 Betty Patrick Tyler and, huh, it took a lot to sit  
18 here because, first of all, I have to repent. I'm  
19 the former president of the West Tennessee Victims'  
20 Rights Task Force, and when I saw that after all  
21 this service I did, that we still had not awakened,  
22 it was devastating.

23 I went into corporate America. I worked  
24 ten years for Federal Express, and then I learned a

1 little more. I was saying all that to say this. I  
2 gave him a card. I became injured and came out to  
3 rehabilitate. I am differently abled, but I am  
4 very much equipped. I am here to serve, which  
5 means that this is over. I'm not saying it in me  
6 myself because, see, the problem we've had is that  
7 we have not had management. We have not had  
8 accountability, and we have not had the unity.

9           You have to know the culture of my  
10 Memphis. Thank you, Memphis State. I am a Tiger.  
11 I went to the University of Memphis to create a  
12 degree. I accepted the role as health chair for  
13 Dr. King's organization for a purpose.

14           I'm saying all of that for a reason.  
15 We're not doing rework. We don't have time. I  
16 thank our representative because I have walked  
17 around her as a advocate and I have, from afar,  
18 admired her. But not one time did she disappoint  
19 me, and so I stand here today repenting for  
20 lobbying for juveniles to be treated as adults  
21 when, as a society, we don't treat adults as  
22 adults.

23                           (Whereupon, numerous people made  
24                           overlapping comments that could not

1                   be taken down.)

2                   MS. TYLER: So we're going to hold these  
3                   children -- I can say this because Judge Brown  
4                   himself looked me in my face and he said, "Betty  
5                   you're wrong. You are wrong. You go in those  
6                   prison systems and you turn your people around."  
7                   He said, "That's what you do."

8                   So when you said about the business --  
9                   that's why I didn't sit there -- I needed everybody  
10                  to speak first because I'm tired of talking. See,  
11                  if you're not ready to move, I don't want to play  
12                  with you. I call it play. I created that at the  
13                  University of Memphis. It is to finish Dr. King's  
14                  beloved community and that -- whatever committee  
15                  you need me on, you have to know the demographics.

16                  You have -- I'm ordained. You have to  
17                  know the language of the pastors. You're not going  
18                  to get anywhere.

19                               (Whereupon, numerous people made  
20                               overlapping comments that could not  
21                               be taken down.)

22                  MS. TYLER: You have to know the language  
23                  of the community. I'm from Frayser. You're not  
24                  going to get anywhere. If you don't speak the

1 language of my Hispanic and Latino people, you're  
2 not getting anywhere.

3 So I'm going to ask you -- yes, thank you  
4 for this first initial meeting, but I'm going to  
5 ask you to set your calendars for whoever we  
6 together can get for you to continue every week  
7 because everyday we deal with trauma in our  
8 households.

9 (Whereupon, numerous people made  
10 overlapping comments that could not  
11 be taken down.)

12 MS. TYLER: If you're not up for that  
13 game, I don't want to play. I'll stay seated.  
14 Thank you.

15 (Whereupon, numerous people made  
16 overlapping comments that could not  
17 be taken down.)

18 PASTOR WILLIAMS: Well said. Well said.

19 DR. STEWART: Well, I don't know if I want  
20 to follow you and Commissioner Brooks. I'm  
21 Dr. Altha Stewart, and I'm the director of a  
22 program that was mentioned earlier by Mr. Scroggs,  
23 Just Care Family Network.

24 As one of the programs -- and I think it's

1 important, like you, to put this in context. We're  
2 a federally funded grant program. We were  
3 established primarily because of issues in juvenile  
4 court with respect to children with mental health  
5 problems who are being captured in the court  
6 instead of being provided treatment.

7 (Whereupon, numerous people made  
8 overlapping comments that could not  
9 be taken down.)

10 DR. STEWART: And so by way of full  
11 disclosure and transparency, I need for everyone  
12 here to understand that. While I'm here as a  
13 public citizen with a concern about the issue, I'm  
14 primarily here on behalf of the children and the  
15 families that they come from who have been captured  
16 in the court, who have mental health problems --

17 UNIDENTIFIED WOMAN: Yes.

18 DR. STEWART: -- and who are still  
19 struggling with those problems.

20 UNIDENTIFIED WOMAN: Yes.

21 DR. STEWART: We're in the midst of  
22 creating partnerships with one of the units in the  
23 court, the evaluation and referral unit, as  
24 Mr. Scroggs has said. We regularly accept

1 referrals from that unit of children who either are  
2 in the court system now or are entering the system,  
3 and we're trying to keep them from going, as  
4 someone said, further into the system.

5 And there are a couple of points that I  
6 would like to encourage and then a question for  
7 the -- the consortium to ponder. If we are going  
8 to have this information available for the general  
9 community to understand and to act on, it has got  
10 to be broken down into better, simpler language.  
11 We are required by the feds to have all of our  
12 written material at the third grade reading level.

13 I would encourage the consortium to  
14 consider how you can summarize all of this very  
15 good information into the language that people in  
16 the community can understand and then work with you  
17 when you're asking for their input, because they  
18 would have understood it. I would also encourage  
19 that any committees, groups or anything else that  
20 is established -- that you stick with the -- the  
21 procedure that's already in place of always having  
22 representatives from families who have gone through  
23 the court system and the youth themselves who are  
24 currently in the system like -- or coming out of

1 the system like Mr. Corley.

2 (Applause.)

3 PASTOR WILLIAMS: Well said.

4 DR. STEWART: The final thing I would  
5 encourage is that those special populations who are  
6 captured in the court system now, whether there's  
7 mental health, substance abuse or other challenges  
8 that they face, separate and apart from whatever  
9 offense that brought them into the court -- that  
10 you make use of those of us who are in the  
11 community. You've heard some of them.

12 We've recently begun discussions with  
13 Damascus Road about some partnerships. We  
14 routinely work with the mental health centers and  
15 the substance abuse treatment centers. But we're a  
16 federally funded grant program. We'll be out of  
17 here in terms of federal funds next fall.

18 In order for some of the things that we've  
19 started to remain, we're going to need to assure  
20 that the reason that we came into being, which was  
21 because children with mental health problems were  
22 being captured in the court -- that those things  
23 stay in a primary way as part of the focus going  
24 forward, because there's still those issues that



1 we're having to deal with.

2 Now my question is in the context of  
3 meeting the terms of the agreement as it relates to  
4 harm reduction, are there some particular mental  
5 health policies, procedure -- procedural issues  
6 that we can be helpful with, as one of those  
7 resources in the community, to the consortium?  
8 We're already engaged in discussions with the  
9 court, but are there some areas that you all are  
10 going to be looking for some support from programs  
11 like ours in the community where we can be  
12 helpful and where we would offer our services as an  
13 already in existence program that already works  
14 with children and families who've had contact with  
15 the court and who have the wrong set of concerns  
16 about how these problems are dealt with in the  
17 youth that we work with?

18 DR. THOMAS: One of the things that I want  
19 to first of all just speak -- just respond to that  
20 briefly. The first thing is that everything that  
21 you said, especially as it relates to behavioral  
22 health -- that's one of my -- that's one of my  
23 primary fields of study so I'm very sensitive to  
24 that as well. However, in terms of the bullet

1 points and breaking the information down, that is a  
2 charge of which I asked Mr. Coupe' if he could take  
3 care of that.

4 The data that we receive comes from  
5 juvenile court, comes from the Department of  
6 Justice via juvenile court, and it comes as it  
7 comes. And so they're going to break that down.  
8 We will take a look at that, and if we see that it  
9 needs to be further broken down, then of course we  
10 will -- we would do that and tweak it and make it  
11 better.

12 The other part of that is in terms of  
13 contractual kinds of things, that is not a charge  
14 of this consortium. It is a charge of juvenile  
15 court and those bodies and -- but it is not a  
16 charge of the consortium. We will be making sure  
17 that information is communicated as it relates to  
18 the community meetings that we will be having. And  
19 that is where, you know, your part and your role is  
20 going to be critical because, if we have a meeting,  
21 then -- in a particular area, it will be noted in  
22 several ways. So that's where you can get your  
23 voices heard even more.

24 I understand from our sergeant at arms and

1     our moderator we have about seven minutes left, so  
2     we're going to try to do what we need to do and  
3     move expeditiously because we definitely don't want  
4     to belabor your time.

5             MS. HUGHES:   Okay.   So we'll go here and,  
6     Mr. Wharton, I'm coming to you after that and here.

7             MS. PAGE:    Thank you so much.   My name is  
8     Sharon Page (phonetically).   I represent Damascus  
9     Road Residential Center.   Let's just go where the  
10    rubber meets the road.   We really need to do  
11    something about the problems that we're having in  
12    the community and not do a lot of talking.   I'm  
13    here as a community based solution.

14            Right now talking about beds, I've got 55  
15    ready beds.   I'm licensed right now by the State of  
16    Tennessee to serve 110 children.   The purpose of my  
17    program is prevention, to interrupt that process,  
18    and that's all we're trying to do.

19            Now, I know that there are other agencies  
20    that do other things, but I've got 55 beds ready  
21    right this second to take any children, and we  
22    offer rehabilitative services.   I've got a staff on  
23    ready at any moment to go.   We're licensed.   We're  
24    insured.

1           We're sitting right in the heart of the  
2       community, so a lot of the talk, we can really stop  
3       that. I have worked this facility. We've got it  
4       ready. We've done a lot of things, and we'd like  
5       to serve our children. We would love to partner  
6       with juvenile court. We are working with the  
7       Memphis police and the Department of Children's  
8       Services and any other agency to prevent that child  
9       from ever going into custody of any kind.

10           Bring them to Damascus Road. Let us  
11       rehabilitate them as a community and send them back  
12       home without that mark and blemish and all those  
13       other things that we all know come with children  
14       going into any level of detention.

15                       (Applause.)

16           MS. PAGE: So Damascus Road Residential  
17       Center, [www.Damascusrd.com](http://www.Damascusrd.com). Pull up the web site  
18       and understand what we are really trying to do.  
19       We're trying to be game changers. We want to  
20       partner. These are our children, our nephews and  
21       our cousins and nieces and choir members and  
22       neighbors. These are our people.

23           We're culturally competent to serve them.  
24       We are them, so we ask that you would consider

1     Damascus Road if you haven't. Give me a call,  
2     273-4336. I'm the president of Damascus Road. I'd  
3     love to have you come by and see how we intend to  
4     serve our community. Thank you.

5                     (Whereupon, numerous people made  
6                     overlapping comments that could not  
7                     be taken down.)

8                     (Applause.)

9                     MR. WHARTON: Good afternoon. My name is  
10     Andre Wharton. I'm an attorney. My wife  
11     introduced herself earlier. She's also an  
12     attorney.

13                     But it's good to be here. I've practiced  
14     in juvenile court before. I'm -- I guess about in  
15     the same era as Mr. Coupe'. We practiced together.

16                     And, Professor, (inaudible) good to see  
17     you.

18                     I just have one comment I wanted to make  
19     to the consortium and to those gathered here -- or  
20     question really to Mr. Willis as well. In terms of  
21     these meetings, are they subject to open  
22     meetings -- the consortium meetings, because I did  
23     hear you say that the consortium wouldn't have any  
24     issues with folks attending their meetings? So I'm

1     assuming -- are they subject to open meetings since  
2     they were -- this is constituted? Is that --

3             MR. WILLIS: We're not -- we're not a  
4     governing body under the Tennessee open meetings  
5     act; okay? But we have open meetings. That's what  
6     we're having here, and the consortium wants  
7     participation. So that's what we, you know --

8             MR. WHARTON: Thank you, Attorney Willis.  
9     I'll just add one more thing. And again, I came  
10    here kind of late, so I don't want to be redundant  
11    or be misinformed in terms of what I say. But I  
12    would just throw out a potential recommendation as  
13    we move forward. This is a great process. If  
14    nothing more than timing, we've got a lot going on  
15    in our city and county as far as transition,  
16    education, juvenile justice.

17            And I think anything that brings people to  
18    the table to talk about things and look at how we  
19    can do things better, I think, is healthy. I just  
20    encourage everyone to enter with that mind-set in  
21    terms of what can we do to make this better for our  
22    community and the children. And I think that's the  
23    goal that everyone should have in mind.

24            But having said that, in terms of the

1 information being imparted to the parents and the  
2 folks in the community, I would recommend that we  
3 think about, as we're moving forward folks who are  
4 in the system already, whether it be dependency and  
5 neglect, delinquency matters, foster care or  
6 whatever -- that we disseminate that information  
7 somehow posting it very visibly in the building,  
8 having the probation officers and the folks from  
9 DCS -- everybody on board and getting that message  
10 out and encouraging these people to attend because  
11 these are the people that are already being  
12 impacted.

13 We know that they need to be addressed and  
14 their concerns need to be addressed because they're  
15 in the system already and then maybe they could  
16 help us disseminate that information out into the  
17 community. So I would encourage working internally  
18 from the intern -- internally to the outside trying  
19 to get our message out in terms of what's going on  
20 in the community. So that's just one thought.

21 I plan to try to be as active as I can.  
22 We've got sons as well. Juvenile justice is very  
23 important to me. It's critical in terms of when  
24 you look at -- I do adult work too, adult criminal

1 defense. So you look at the children that come  
2 into the system, eventually they started, for one  
3 reason or another, at the juvenile level, whether  
4 it was a delinquency, dependency and neglect  
5 situation, some truancy issue.

6 So this is a critical piece of it all, so  
7 we've got to do it right. And I'm just happy that  
8 it -- it's a growing pain and we're going through  
9 it. But hopefully on the other side of the tunnel,  
10 there's going to be some light.

11 So thank you for the consortium. I just  
12 throw those things out there.

13 PASTOR HUTCHINSON: Is it my turn? I'll  
14 just do it without the mike because we're trying to  
15 cut down on time. I'm pastor Noel Hutchinson. I  
16 pastor First Baptist Church Lauderdale. I'm not  
17 going to preach today because Sunday is for  
18 preaching, and that's tomorrow.

19 But the reason I raised my hand and I was  
20 standing, I heard you make mention earlier of  
21 asking us where you should have future community  
22 meetings, and I'm basically saying a couple of  
23 things. Number one, you must come to South  
24 Memphis.



1 UNIDENTIFIED WOMAN: Yes.

2 PASTOR HUTCHINSON: Number two, if you  
3 need a location, I'm offering our church.

4 UNIDENTIFIED WOMAN: Wonderful.

5 PASTOR HUTCHINSON: Number three, if  
6 the -- if our church is not acceptable to you, come  
7 to South Memphis anyhow because you need to come to  
8 South Memphis. Many of you on the panel already  
9 know who I am, and I signed the sheet. Noel  
10 Hutchinson. The name of the church is First  
11 Baptist Lauderdale. If you need somewhere to go,  
12 I'm offering our church. That's all I wanted  
13 to say.

14 MR. SMITH: Thank you.

15 (Whereupon, numerous people made  
16 overlapping comments that could not  
17 be taken down.)

18 PASTOR WILLIAMS: Amen. Amen.

19 MR. BURK: Good afternoon. I'm Dr. Bill  
20 Burk (phonetically), and before this day is over, I  
21 want to meet Tom. I've been a volunteer in Frayser  
22 for a long time. I went there as a retired  
23 professor with a mentorship program. I've found  
24 communication is a great need, and I've spent many

1 hours full time for the last 15 years trying to do  
2 that.

3 I have a question. We had -- I guess we  
4 had Michelle Fowlkes come to our meeting last  
5 week. We also spent time with Memphis Gun Down and  
6 Peggy Russell. I didn't hear that mentioned  
7 today. I'm concerned. There's a lot of  
8 communication here, but I think there needs to be  
9 more cross talk.

10 MR. SMITH: Ladies and Gentlemen, we still  
11 have some questions up here, but we do not have the  
12 time. So this is what I want to do. It's very  
13 important -- and we're not trying to -- as far as  
14 I'm concerned, we can stay here all evening and  
15 talk. This is why I committed to working on this  
16 initiative.

17 But we're limited with time with the --  
18 with the library. So having said that, this is  
19 what we need from you and this is particularly  
20 important for those few people -- because I have  
21 three cards up here that we do not have time to  
22 respond to -- but particularly important for those  
23 individuals whose questions were not answered  
24 and/or those that would like to maintain contact

1 with the consortium, I have a sign-in sheet. We'd  
2 like your name and your e-mail address.

3 Mr. Secretary, would you mind passing that  
4 around? We don't want any of you to leave away --  
5 leave from this forum --

6 MR. WILLIS: Mr. Chairman?

7 MR. SMITH: Yes, sir?

8 MR. WILLIS: We've got a sign-in sheet  
9 over here and that --

10 MR. SMITH: Does it have e-mail?

11 MR. WILLIS: Yeah, yeah. We've got  
12 that -- we've got that -- and it's going to  
13 (inaudible). I think -- I think if we can respond  
14 to the -- whatever we have --

15 MR. SMITH: All right.

16 MR. WILLIS: -- in five minutes --

17 MR. SMITH: Here's -- here's one more  
18 question, and it looks, to some degree, to be a  
19 statement. "The best way to keep the people  
20 informed -- some people are not computer savvy, how  
21 do we reach them?" Does anyone want to respond to  
22 that?

23 MR. CORLEY: They answered that question.

24 MR. SMITH: They did? Was there a

1 response to one of our teaching or training of  
2 juveniles? Did anyone respond to that? Reverend  
3 Gonzalez, would you like to speak to that?

4 REVEREND GONZALEZ: What was it?

5 MR. SMITH: There is -- the question is  
6 what about teaching or training of juveniles? Any  
7 member of the --

8 REVEREND GONZALEZ: Juveniles in what?

9 (Whereupon, numerous people made  
10 overlapping comments that could not  
11 be taken down.)

12 MR. SMITH: Well, I'm assuming in -- I'm  
13 assuming -- I'm assuming in the detention center.

14 REVEREND GONZALEZ: Oh.

15 MR. SMITH: Ma'am?

16 UNIDENTIFIED WOMAN: It's my understanding  
17 that they already have classes there --

18 REVEREND GONZALEZ: Oh, they have an  
19 excellent school --

20 (Whereupon, numerous people made  
21 overlapping comments that could not  
22 be taken down.)

23 REVEREND GONZALEZ: Hope Academy is an  
24 amazing place.

1 UNIDENTIFIED WOMAN: Yes.

2 MR. SMITH: Okay. And the final  
3 question: Why would you choose a person for the  
4 DMC -- and I'm assuming the -- this (inaudible) you  
5 meant the disproportionate minority coordinator  
6 that admitted -- nah, nah.

7 MS. HUGHES: Okay. That's it.

8 MR. SMITH: One final -- well, I have --  
9 we -- the consortium has two final orders of  
10 business, one of which is the statement from  
11 Mr. Ron Pope, one of the consortium members who  
12 couldn't be here this afternoon because he had a  
13 death in the family. And this is going to be  
14 included in the record, and I would like to read  
15 this from Mr. Pope.

16 "I would like to thank those of you who  
17 came out today to participate in this historic  
18 process. Your presence is evidence of your  
19 commitment in the lives of children and the concern  
20 you have for their rights within the juvenile  
21 justice system. Youth may get off track for one  
22 reason or another. However, when they do, it is  
23 the responsibility of the professionals to be sure  
24 they are treated fairly, equitably and have the

1 best chances for success.

2 "Your participation" -- meaning the  
3 community that's here today, the public -- "your  
4 participation will help to insure that that  
5 happens. Thank you for your participation and  
6 attendance."

7 PASTOR WILLIAMS: One more.

8 MR. SMITH: Yes. And, Mr. Secretary, if  
9 you would, make sure that's reflected in the  
10 minutes. Pastor?

11 PASTOR WILLIAMS: Yeah. Hello, I'm Pastor  
12 Williams. I just wanted to say that I've heard a  
13 little bit about Biblical things -- just a little  
14 bit -- just a little bit. I've heard a lot about  
15 defense with juvenile court. I've heard a lot of  
16 things, but what I really am excited about is what  
17 I heard from the public. When Craig was monitoring  
18 and bringing out things, I heard you have input.

19 Your input is very important to this  
20 meeting. We got ready for this meeting over five  
21 months ago. We all sat up and wondered what were  
22 you going to say. We need to hear what you've got  
23 to say about your kids.

24 I'm not here to pacify anybody. I

1 don't -- Larry called me. He called me. You know  
2 who I represent? Jesus Christ.

3 (Whereupon, numerous people made  
4 overlapping comments that could not  
5 be taken down.)

6 PASTOR WILLIAMS: You know, we -- we were  
7 talking about Frayser. My son received a bullet in  
8 his head and he's in the system now. So I want to  
9 know what are we going to do. I don't need to  
10 hear -- I don't do titles. You know, I do Jesus.  
11 I talk about the Lord, but your kids are in  
12 trouble.

13 UNIDENTIFIED WOMAN: Yes.

14 PASTOR WILLIAMS: There's an issue going  
15 on that -- that's got the police 24/7 around the  
16 Frayser area and around South Memphis. Your  
17 kids -- do you know your kids? You need to try to  
18 find out how can we communicate with each other so  
19 we can get with the juvenile court system and make  
20 suggestions on what they ought to do.

21 But we don't need to talk among each  
22 other. See, we all need to come together, and  
23 there don't need to be -- what -- meetings every  
24 three or four months. Man, we need to be meeting

1 every week to get this matter under control.

2 Amen.

3 (Applause.)

4 (Whereupon, numerous people made  
5 overlapping comments that could not  
6 be taken down.)

7 MR. SMITH: Thank you, Reverend Williams.

8 PASTOR WILLIAMS: You're welcome.

9 MR. SMITH: For the benefit of -- just  
10 some closing remarks, all of us are concerned about  
11 our children being locked in, locked out and locked  
12 up. And your presence here today is obviously a  
13 testament to your commitment to our children and  
14 your concern.

15 The consortium's next meeting will be on  
16 Thursday, June 20th. The meeting location --  
17 because we're looking at -- and I'm glad the  
18 reverend offered his place. We're looking at some  
19 alternatives. We will have a confirmation on that  
20 location no later than the close of business  
21 Wednesday of this coming week.

22 I would like to offer my e-mail address.  
23 I think you have Mr. Coupe's e-mail address. My  
24 e-mail is teesmith1@hotmail.com. That's



1       teesmith1@hotmail.com if you're interested in  
2       learning the location of the consortium's next  
3       meeting location. Please e-mail me, and I'll have  
4       that information to you by next week.

5               MS. HUGHES: It's time.

6               MR. SMITH: Yes, it's time. Do I have  
7       any -- and one other thing that I was remiss  
8       earlier on in this process and got sidetracked  
9       through the agenda was the formal introduction of  
10      members of the consortium. You have Mr. Eddie  
11      Williams to my far right, Ms. Reverend Gonzalez,  
12      Ms. Quincy Hughes, Dr. Thomas. You have Mr. Mickey  
13      Williams, Jhukuruin Corley, our newest nominee to  
14      the consortium by Mayor Luttrell, Dr. Freda  
15      Williams, and you have Ms. Michelle Fowlkes.

16              Do I have a motion to adjourn?

17              REVEREND GONZALEZ: So moved.

18              MS. FOWLKES: So moved.

19              REVEREND GONZALEZ: Three moves right  
20      here.

21              MR. SMITH: Three moved? Meeting  
22      adjourned. Thank you very much, ladies and  
23      gentlemen.

24      AND FURTHER DEPONENT SAITH NOT.

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(Whereupon, the meeting concluded  
at approximately 3:40 p.m.)

## C-E-R-T-I-F-I-C-A-T-E

STATE OF TENNESSEE:

COUNTY OF SHELBY:

I, LESLEY L. SPENCE, Certified Court  
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Tennessee LCR No. 381 and  
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My Commission Expires:

July 21, 2014